

# **Police Oversight Commission**

***City of Albuquerque***  
***Independent Review Office***

**First Quarter Report 2006**

Rev. James L. Jones, POC Chair

Jay Rowland, IRO

## **Police Oversight Commissioners**

Rev. James L. Jones, Chair

Michael Cook, Vice Chair

Joe T. Gutierrez

Dolly Sanchez de Rivera

Steve Abraham

Ira Rimson

Steve Smothermon

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# Chairman's Perspective

As I start my fourth year as a commissioner on the Police Oversight Commission and my first year as the Chair of the Police Oversight Commission, it is readily apparent the tremendous improvements that have been made within APD during this time frame.

Chief Schultz has been innovative and demands accountability from the officers serving the public in the Albuquerque Police Department. His innovations will make this department one of the top ten police departments in the country within the next three years. Not only is Chief Schultz improving the technology and equipment of the department, but he is also ensuring the officers are protecting and serving the public.

Chief Schultz and the POC have identified officers that have used excessive force on our citizens, lied during investigations, and committed criminal acts on and off duty. This is no longer tolerated. Chief Schultz has terminated these officers or they have resigned before discipline could be imposed. The other officers on the force understand the message and the culture of APD is changing for the better. Sergeants are supervising their subordinates and training them to ensure mistakes are not made and, if made, are corrected quickly. These sergeants are the key first line supervisors that must ensure the culture of APD is one that ensures criminals are arrested, while honest citizens are treated with respect and dignity.

Chief Schultz has also established a Bias Based Policing Ad Hoc committee to review the recommendations of the Mayor's Racial Profiling Task Force. This committee is in the early stages of its work and will make changes that will benefit the entire city. I applaud his commitment to treating everyone equally and with respect and dignity. I anxiously await his completed review and new initiatives in this critical area.

The Police Oversight Commission and Independent Review Office are treated like partners with APD. Our suggestions and recommendations receive serious consideration and most are adopted with little to no modifications. When we disagree, it is only after we have discussed the full range of issues and options to achieve the desired result. Together APD and the POC are achieving that desired result. The results are the improvement of APD and support of APD by the largest percentage of citizens of Albuquerque in the last four years. This will continue to improve as we work together to solve these problems and issues together.

I look forward to serving the citizens of Albuquerque and ask you to bring your complaints and problems with APD to our attention.

Rev. James L. Jones, Chair  
Police Oversight Commission

# Executive Summary

The mission of the Police Oversight Commission (POC) is to provide a means for prompt, impartial, and fair investigation of all citizen complaints brought by individuals against the Albuquerque Police Department (APD), and to provide for community participation in setting and reviewing police department policies, practices and procedures. The Independent Review Officer (IRO) works with the POC and APD to ensure that (1) citizen complaints are thoroughly investigated, (2) citizens have a fair opportunity to appeal the results, and (3) APD policies are changed to prevent the recurrence of problems identified through the complaint process.

## Significant Issues in 2006

1. The Mayor and City Council approved the Rules and Regulations for the Police Oversight Commission. We worked with the APOA and advocacy groups to implement the first set of rules and regulations for the POC in its seven year existence.
2. The IRO needs an additional investigator. Citizen complaints have decreased slightly the last five months after increasing at a substantial rate for the previous three years. We had 351 complaints in 2005 and 307 complaints in 2004, huge increases over the previous record high of 220 in 2003. So far this quarter, we have had 72 citizen complaints. This is a 14% reduction from last year and a slight increase from 2004. We believe this is an indication of Chief Schultz' success in changing the culture of APD and ensuring officers treat citizens with respect and dignity. However, the numbers are still significantly higher than 2003 and one more independent investigator is definitely needed.
3. The Mayor's budget submission for 2007 includes the addition of one more independent investigator.
4. The POC continues to monitor APD's completion of use of force forms, as required by their Standard Operating Procedures. This process must get better.
5. Police shooting cases are still taking too long to complete, but there has been a significant improvement. The POC continues to work with APD and the District Attorney to ensure this process is speeded up. It is moving faster, but needs continual emphasis for a long time. APD is now beginning their administrative investigation immediately upon completion of their criminal investigation. They are no longer waiting for the District Attorney to complete her evaluation of the case before beginning their administrative investigation. The POC has asked the District Attorney to not take every police shooting case to the grand jury to further speed the process.
6. The IRO was sued by a complainant. This is the first time in history that the IRO had been sued in Federal Court. The IRO exercised his contractual option to hire outside counsel to defend him. The City Attorney agreed and hired the Bregman Law Firm to represent the IRO. This case was dismissed with prejudice on summary judgment.

7. Chief Schultz formalized the mediation program. The trained APD mediators have already amicably resolved many complaints to the satisfaction of the complainants. Officers have been willing to apologize when they made a mistake. That improves public relations for APD and satisfies the citizens.
8. The City Council hired consultants to review the system of civilian oversight of APD. This is the third review. The first was in 1998 and resulted in the City Council changing to the current system of police oversight. The second review was in 2002 and recommended many changes. We anticipate this third review to also recommend changes to improve civilian oversight of the police, but do not expect any major or radical changes to be recommended. We look forward to implementing their good recommendations.

## **Timeliness**

The number of complaints received in this quarter was 72. This is a 12% decrease from 2005, but a 9% increase over 2004 and a 32% increase over 2003.

Completion of investigations of citizen police complaints from 2005 was delayed because the IRO staff was assigned the mayoral directed investigation of the Evidence Unit and senior APD staff, including the Chief. This investigation was our primary duty for 10 weeks. During that time period, all complaints were assigned to Internal Affairs for investigation. Because of these unusual events, Internal Affairs was given an atypical burden that adversely impacted their timely investigation of these complaints.

In 2005, we received 351 complaints. The IRO staff closed 203 and has none pending. 75% of the complaints were completed within 60 days. Fifteen investigations took over 90 days; therefore, 93% of the complaints completed by the IRO were finished within 90 days. The IRO has no cases pending over 90 days.

This was the highest number of investigations taking over 90 days in our history. It is directly related to our investigation of the senior APD staff, which was directed by Mayor Chavez as well as the very large increases in the number of complaints.

Internal Affairs closed 148 investigations. 29% of the investigations were completed within 60 days. 67 investigations took over 90 days; therefore, only 54% of the investigations by the IA staff were completed within 90 days.

This is also an increase in the length of time Internal Affairs investigations have been taking. This is directly attributed to Internal Affairs doing all the investigations during the time the IRO staff was conducting the mayoral-directed investigation, the large increases in the number of citizen complaints over the last three years, and a very large increase in the number of internal investigations this year.

## **Appeals**

Eight appeals were heard by the Police Oversight Commission this quarter. The POC agreed with the IRO on all the appeal findings and required the Chief to add one Sustained finding against an officer. The Chief agreed to add that Sustained finding in the officer's record.

Two appeals are scheduled for April and one was delayed from the March POC meeting.

## **Policy Reviews**

The Long Term Planning Committee reviews all complaints where the IRO and the Chief disagree before the cases are heard by the full POC. No non-concurrences were heard and none are pending.

The mediation program is running a pilot program. Five officers were trained and are currently handling citizen complaints referred to them by the IRO. This has been a very successful program so far and will be evaluated in 2006 to determine whether it should be made permanent.

The POC requested that findings by a jury of liability due to officer misconduct be entered into the officers' records. Chief Schultz disagreed and refused to implement this policy. The POC considered the issue and sent a letter to the mayor requesting this initiative be implemented.

Due to the increases in the number and complexity of complaints and investigations, the IRO does not have sufficient staff to continue investigating the vast majority of complaints. Internal Affairs was assigned 148 complaints for investigation in 2005. Internal Affairs investigated only 80 in 2002 and 103 in 2004. This is an 80% increase for Internal Affairs and calls into question the policy of the Police Oversight Ordinance that independent investigators should investigate most of the complaints. Additionally, Internal Affairs regularly takes significantly longer to complete their investigations than the IRO investigators. Investigations taking over 90 days can compromise the discipline of the officers. The Police Oversight Commission has asked for one additional investigator for the IRO office. History has shown that independent investigations are preferred and have more credibility with the citizens of Albuquerque.

Mayor Chavez has proposed his 2007 budget and it includes funding for one additional independent investigator for the IRO office.

## **I. Responsibilities of the POC and IRO**

The purpose of the police oversight system is to provide a means for prompt, impartial, and fair investigation of all citizen complaints brought by individuals against the Albuquerque Police Department (APD), and to provide for community participation in setting and reviewing police department policies, practices and procedures.

The Police Oversight Commission (POC) is composed of nine volunteers who broadly represent the diversity of the City. The POC has been charged to perform the following functions.

1. To promote a spirit of accountability and communication between the citizens and APD while improving community relations and enhancing public confidence.
2. To oversee the full investigation and/or mediation of all citizen complaints; audit and monitor all investigations and/or police shootings under investigation by APD's Internal Affairs (IA).
3. To gain the cooperation of APD and solicit public input by holding regularly scheduled meetings
4. To review all work of the Independent Review Office (IRO) with respect to quality, thoroughness, and impartiality of investigations.
5. Submit a quarterly report to the Mayor and City Council
6. Submit all findings to the Chief of Police.
7. To engage in a long-term planning process through which it identifies major problems and establishes a program of policy suggestions and studies each year.

The Independent Review Officer is an attorney and manages the Independent Review Office and its staff. The IRO is given autonomy and performs the following duties under the direction of the POC.

1. The IRO receives all citizen complaints and claims directed against APD and any of its officers. The IRO will review the citizen complaints and assign them to be investigated by IRO independent investigators or to Internal Affairs.
2. The IRO will oversee, monitor and review all of those investigations and make findings for each. These findings are forwarded to the POC for their approval.
3. The IRO makes recommendations and gives advice regarding APD policies and procedures to the POC, City Council, APD, and the Mayor.
4. An impartial system of mediation may be used for certain complaints.
5. Monitor all claims of excessive force and police shootings and be an ex-officio member of the Claims Review Board.
6. Ensure all investigations are thorough, objective, fair, impartial, and free from political influence.
7. Maintain and compile information sufficient to satisfy the POC's quarterly reporting requirements.



8. Play an active public role in the community and provide appropriate outreach to the community. Publicize the citizen complaint process and identify locations within the community that are suitable for citizens to file complaints in a non-police environment.

## ***II. Albuquerque's Police Complaint Handling System***

Any person may file a written complaint against APD or any of its officers. All complaints must be signed as required by the union contract. These written complaints can be sent to:

- a. The IRO's website at [www.cabq.gov/iro](http://www.cabq.gov/iro).
- b. At the IRO office at Room 813, Plaza del Sol, 600 2<sup>nd</sup> St, NW.
- c. Mail to IRO, P.O. Box 1293, Albuquerque, NM 87103, or
- d. Internal Affairs.

Complaint forms are available for downloading on the IRO website, the IRO office, at City libraries, homeless shelters, police substations, and Internal Affairs. The complaints may be filed with the city staff and all complaints will be forwarded to the IRO.

Once the IRO receives a complaint, the complaint is entered into the IRO's case management database and assigned a unique Citizen Police Complaint (CPC) number. The IRO reviews the complaint and decides whether to attempt to mediate the complaint or assign the case to the IRO investigators or Internal Affairs. Normally the IRO is only staffed enough to investigate about 60% of the complaints and Internal Affairs investigates the rest of the complaints. Upon completion of the investigation, the IRO reviews the investigation for thoroughness, impartiality, and fairness. The IRO decides what APD Standard Operating Procedures (SOPs) the citizen alleged to be violated and makes Findings based on the evidence contained in the investigation. Findings are based on a preponderance of the evidence. The definitions of complaint dispositions are:

1. Sustained: Member is determined to have committed the alleged violation.
2. Not Sustained: It cannot be determined by a preponderance of the evidence whether the member did or did not commit the alleged violation.
3. Unfounded: Member did not commit the alleged violation.
4. Exonerated: Member was justified in taking the course of action alleged and/or member was operating with the guidelines of the law or SOPs.
5. Inactivated: Complaint was determined to not merit further investigation.  
Complaints can be inactivated for several reasons, including; if they do not allege a violation of SOPs, are submitted over 90 days from the incident, are not against APD members, the APD member cannot be identified, or the case was successfully mediated.

The IRO's findings are finalized by the Police Oversight Commission and then sent to the complainant and the Chief of Police. The Chief of Police has sole disciplinary authority over the officer. The IRO notifies the citizen of their final decisions by certified mail. If the citizen who filed the complaint is dissatisfied with the findings of either the Chief or the IRO, that person may appeal that decision to the POC. The appeal must be made within ten business days from the date the citizen received the public record letter from the IRO. Appeals are heard during the POC's monthly, televised meetings and are open to the public. The POC may, upon appeal, modify or change the recommendation of the IRO and may make further recommendations to the Chief. The Chief would then reconsider his findings and notify the POC and the citizen of his decision. If the citizen is still not satisfied with the action of the POC or the Chief of Police, the citizen may request a review by the Chief Administrative Officer (CAO) within 10 business days of the Chief's action. The POC may also appeal the Chief's findings to the CAO. The CAO may take any action necessary to complete the disposition of the complaint, including imposing discipline.

### ***III. Work of the Police Oversight Commission***

The Police Oversight Commission is chaired by Rev. James L. Jones and Michael Cook is the vice chair. The POC heard 8 appeals from citizens this quarter. The POC agreed with the IRO on all the appeals and found the Chief should add one Sustained finding to an officer's record.

The Long Term Planning Committee consists of four commissioners and is chaired by Michael Cook. These meetings are also open to the public, but not televised as are all POC meetings. They go into detailed review of issues referred to them by the POC. These meetings are usually held at the Plaza del Sol in the basement hearing room at 3 PM on the fourth Tuesday of every month.

### ***IV. Statistical Report for Complaint Workload***

The independent IRO investigatory process is outstanding and produces the prompt, impartial, fair, objective investigations of citizen complaints and is free from any political influence. The investigators thoroughly and impartially gather the evidence. The POC and IRO make findings free from any political influence. Disagreements with the Chief of Police are usually resolved. Those that cannot be resolved (as well as all findings) are explained to the citizen in a public record letter, who then has the opportunity to appeal to the Police Oversight Commission. These appeals are open to the public and televised. The IRO's findings are published in a public record letter, which are all available to the public in the IRO's office. Privacy material is deleted to protect the privacy of the citizens and officers. The process is an extremely open process and subject to public scrutiny. The administration,

city councilors, and citizens of Albuquerque can be proud of the system of civilian oversight of the police department that they have created. The improvements and the passage of the amendments to the Police Oversight Ordinance in 2004 made the system of oversight even better. It is one of the best oversight systems in the United States and unique to Albuquerque.

The Independent Review Office compiles data from citizen complaints to provide an overview of the nature and frequency of citizen complaints as well as specific data, which allows the public to identify patterns and trends. By tracking various aspects of the complaints, recommendations can be made to address particular areas of concern. The IRO and POC work closely to identify areas that may be appropriate for data collection. Many of the policy and procedural issues addressed or reviewed by the POC come from concerns raised by citizens in their complaints.

There were 72 complaints filed this quarter. This is a 12% decrease over the same quarter last year. There were 196 citizen complaints filed 1999, 200 in 2000, 186 in 2001, 198 in 2002, 220 in 2003, 307 in 2004 and 351 in 2005. These numbers have increased steadily the last four years. This quarter is the first decrease since 2000, but still a large increase over 2004 and 2003. We still find this to be a positive indication that the citizens of Albuquerque trust the system of civilian oversight to provide them a fair and impartial answer to their complaints. Citizen participation has improved and will continue to improve the Police Department in the long run. Citizen complaints have already identified problems with the Prisoner Transfer Center, completion of use of force forms, individual officers and numerous policy issues.

## **Timeliness Of Investigating Citizen Complaints**

APD Standard Operating Procedure §3-43-2I states, “Within 60 days of the filing of a written complaint, or of the completion of the Internal Affairs investigation, whichever is sooner, the Chief of Police or his designee shall take any action necessary, including disciplinary action, to complete the review of the complaint. The Chief of Police may request that the Chief Administrative Officer or the Deputy Chief Administrative Officer for Public Safety grant an extension of up to 30 additional days.” The IRO office has a goal of 100% on the investigations to be completed within 90 days and 75% investigated within 60 days.

In 2005, 351 complaints were received and all have been completed. Of the 2005 complaints completed, they were completed in the following number of days.

	<30	31-60	61-90	91-120	121 +	Total
IRO	108	48	32	9	6	203
IA	17	24	40	52	15	148

No 2005 investigations are pending.

In 2006, 72 complaints were received. 38 have been completed and 35 are pending investigation. Below is the break out of pending complaints.

	<30	31-60	61-90	91-120	121+	Total
IRO	13	6	1	0	0	20
IA	8	5	1	0	0	14

## ***V. Sustained Allegations***

In 2001, 53 complaints were Sustained. 39 were sustained in 2002, while eighteen of those cases were Sustained in the last three months of 2002. 49 complaints were Sustained from 2003 and 62 citizen complaints were sustained in 2004. Three police shooting investigations were Sustained by the POC, but one was reversed on appeal by the CAO. In 2005, 68 citizen complaints and 8 police shootings have been Sustained for procedural violations as of this report. In 2006, we have Sustained 5 complaints so far. We have grouped the 2005 Sustained citizen complaints into the following categories.

### **Actions Taken in 2005**

Categories	Customer Service	Police Powers	Procedure
No Action	0	0	5*
Counseling	3	0	1
Verbal Reprimand	15	1	22
Letter of Reprimand	5	4	3
Suspension	1	2	1
Termination	0	3	0
Pending	1	2	0
Sustained 2005	25	11	32

### **Sustained Rate and APD Discipline Rate**

Sustained Cases	APD Discipline rate on Sustained Cases
2000 31%	Not Available
2001 40%	60%
2002 27%	58%
2003 35%	87%
2004 32%	98%
2005 39%**	98%

\*One officer resigned prior to completion of the investigation. Three CPCs were Sustained against the APD units and they revised their SOPs to correct the systemic problems. One officer was not disciplined because the investigation was over 120 days old.

\*\*Mediation has increased and is very successful. Chief Schultz formalized a pilot mediation program. Five selected lieutenants and sergeants received mediation training in October. Successful mediation complaints are inactivated. Therefore, the number of inactivated complaints has increased substantially. The percentage of cases Sustained is based on the number of Sustained complaints over the number of complaints where investigations were completed and findings were made. Inactivated complaints are not included because no findings were made for a variety of reasons, including successful mediation. When an officer apologizes, the citizen is often satisfied and does not desire a formal investigation.

## ***VII. Detailed Complaint Information, Part I-IX***

The following detailed information is the same information and in the same format that was compiled in the annual reports for 2000-2004.

## **POLICE OVERSIGHT COMMISSION**

*Rev James L. Jones, Chair*

*Michael Cook, Vice Chair*

*Joe Gutierrez*

*Hank Cadena*

*Steve Abraham*

*Ira Rimson*

*Dolly Sanchez de Rivera*

*Steve Smothermon*

Jay A. Rowland, Independent Review Officer

### **Independent Review Office Police Oversight Commission**

#### **First Quarterly Report – 2006**

#### **Citizen Police Complaints Internal Investigations of Officer Involved Shootings**

#### **Part I – Overview**

It is the responsibility of the citizens of Albuquerque to bring to the attention of the Police Oversight Commission (POC) and Independent Review Officer (IRO) any possible violations of Standard Operating Procedures (SOP) as well as any conduct, which may impact the confidence and respect of the citizens for their police department. Citizens may bring these matters to the attention of the Albuquerque Police Department through the citizen complaint process and the public forum provided by the Police Oversight Commission. Input by citizens helps maintain the balance between a free government by the people and the authority granted to its police for law enforcement. Both the citizens and police work together for the betterment of the community.

Pursuant to §9-4-1-10 of the Police Oversight Ordinance, the POC shall be responsible for regularly informing the Mayor, City Council, and the public by submitting quarterly reports that contain the following types of information: (A) Data relating to the number, kind and status of all complaints received including those complaints sent to mediation; (B) Discussion of issues of interest undertaken by the POC which may include suggested policy and/or procedural changes, a listing of complaints and allegations by Council District, statistical ethnicity of subject officers, statistical ethnicity of complainants, and updates on prior issues and/or

recommendations; (C) The POC's findings and the Police Chief's issuance of discipline on those findings and the ongoing disciplinary trends of the Police Department; (D) Information on all public outreach initiatives undertaken by the POC or IRO such as speaking engagements, public safety announcements, and/or public information brochures on the oversight process; (E) The status of the long-term planning process identifying major problems, policy suggestions, and studies as required by §9-4-1-5 of the ordinance.

Compilation of the above information and officer-involved shootings pursuant to §9-4-1-5(B) is contained in the following Nine Parts.

The IRO compiled the information for the Nine Parts when citizen complaints were filed, reviewed, and when the investigation was completed. Following a completed investigation, the IRO wrote a letter to the complainant, which summarized the complaint, interviews, findings, and conclusions. These public record letters are available for public viewing in the office of the IRO at 600 2<sup>nd</sup> St, NW, Room 813 of the Plaza del Sol Building. Data was also taken from cases appealed to the POC and, if applicable, to the Chief Administrative Officer (CAO).

The Nine Parts are presented first, as a general overview; second, by more specific categories; third, by summary of Citizen Police Complaints (CPC); fourth, by Officer involvement in complaints; fifth, by Standard Operating Procedure (SOP) violations alleged; sixth, as a summary of internal investigations reviewed by the IRO; seventh, by Officer involvement in Internal Investigations; eighth, by Appeals heard by the POC; and ninth, by Activities of the POC and IRO. Great effort was made to protect the identity of the citizens and officers. A numeric code was given each officer involved in a complaint to protect his/her identity.

If you have any questions about this report or any of the information contained therein, please call Jay Rowland, the Independent Review Officer, at 924-3774.

A Citizen Police Complaint (CPC) is a written complaint initiated by a citizen against an Albuquerque Police Department (APD) officer or employee pursuant to §9-4-1-6 and §9-4-1-8 of the Police Oversight Ordinance. A CPC can be investigated by investigators in the IRO office or by investigators within APD. The IRO makes the decision as to which agency conducts the investigation and reviews all investigations for thoroughness, objectivity, fairness, impartiality, and freedom from political influence. Each citizen complaint is assigned a unique number, in chronological order, for example CPC 123-03. An Internal Investigation (I) is an investigation initiated within APD and is investigated by Internal Affairs (IA).

#### Citizen Police Complaints for 2006

Year to date	72
January to March	72
April to June	0
July to September	0
October to December	0

#### Number of Officers Complained About In 2006

Year to date	12
Involved in 1 Complaint	12
Involved in 2 Complaints	0
Involved in 3 Complaints	0
Involved in Over 3 Complaints	0
Pending Cases (officers unidentified)	34
APD civilian employees	1



## Standard Operating Procedure Findings in 2006

Total SOPs Alleged To Be Violated	11
Findings on SOPs	
Sustained	3
Not Sustained	0
Unfounded	5
Exonerated	3
No finding on SOP, investigation pending	10
No finding on SOP, cases inactivated	26
No finding on SOP, cases mediated	2

An explanation of “Findings” on SOPs is found later in Part I.

Police Shootings of citizens are investigated by APD as criminal investigations initially. These investigations are reviewed by the District Attorney and often presented to the Grand Jury to determine whether the officer should be prosecuted or not. Historically, police shooting cases are seldom prosecuted. After the criminal investigation is completed, Internal Affairs conducts an Internal Investigation. This investigation is an administrative investigation to determine if any SOPs were violated and whether the officer should be disciplined administratively by the Chief of Police for any administrative violations. §9-4-1-5B requires the POC to monitor police shooting investigations by IA. The IRO reviews and makes findings on police shooting cases and forwards those findings to the POC and Chief of Police. Internal Affairs investigates all shootings by police officers, not just shootings of people. Because of the length of time for APD criminal investigations, District Attorney review and presentation to the grand jury, and Internal Affairs administrative investigations, police shooting cases often take over a year from the incident before they are sent to the IRO for review. The below incidents indicate the date the IRO reviewed the internal investigations of police shootings and not the date of the shooting.

#### Internal Investigations of Police Shootings

Year to Date	5
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January to March	5
April to June	0
July to September	0
October to December	0

Citizens: 3	Dogs/Other: 2	Accidental: 0
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Justified: 3	Justified: 2
Not Justified: 0	Not Justified 0
Fatalities: 2	Died: 1

Number of Officers Involved:	7
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Involved in 1 Shooting	7
Involved in 2 Shootings	0
Involved in 2 or More	0

*The incident complained of in a citizen police complaint (CPC) was sorted by the following City quadrants. The number of CPCs in each quadrant is indicated.*

Geographical Characteristics

NE: 7      SE: 3      NW: 6      SW: 0      Unknown/NA: 56

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*The incident complained of in a citizen police complaint (CPC) was sorted by Area Command. The number of CPCs in each Area is indicated.*

APD Area Command To Which Officer Was Assigned

Foothills	1
Northeast	5
Southeast	5
Valley	1
West Side	5
Aviation	0
BCSO	2
Field Services	0
Unknown/NA	53

*Following is a list of the number of CPCs by City Council District (after redistricting) and Neighborhood Association boundaries.*

<u>City Council District</u>	<u>Neighborhood Association</u>	<u># of CPCs</u>
City Council District: 1	West Mesa	1
	Total:	1
City Council District: 2	Alta-Monte	1
	Bel-Air	1
	Near Valley	1
	No neighborhood association	1
	Total:	4
City Council District: 3	No neighborhood association	1
	Silver Hill	2
	Sycamore	1
	Total:	4
City Council District: 4	Countrywood Area	1
	Total:	1
City Council District: 5	Alban Hills	1
	Taylor Ranch	1
	Vista Grande	1
	Volcano Cliffs	1
	Total:	4
City Council District: 6	South San Pedro	1
	Total:	1
City Council District: 7	Conchas Park	1
	Total:	1
City Council District: 9	Supper Rock	1
	Total:	1

Unknown City Council District:	Unknown/NA	30
	Unkown/NA	1
		Total: 31
No City Council District:		
	Unknown/NA	25
		Total: 25

*The following section indicates the outcome of a CPC investigation with regard to the number of findings for a SOP violation. The definition of findings is taken from § 3-43-12 of the SOP Manual. "IRO would find" indicates that during the review*

## Standard Operating Procedures (SOPs) Alleged To Have Been Violated By

### Definitions of findings:

Sustained:	The allegation is supported by sufficient proof.
Not Sustained:	The evidence is not sufficient to prove or disprove the allegation.
Unfounded:	The allegation is false or otherwise not based on valid facts.
Exonerated:	The incident that occurred or was complained against was lawful
Other:	The evidence supports action for infractions discovered during the investigation of a complaint that may be sustained, not sustained, unfounded, or exonerated.
Inactivated	The investigation was inactivated by either the citizen or by internal

*See Part V for detailed explanations of SOPs, the officers involved, and the location of the alleged violation.*

SOP	Finding	Totals
§ 1-04-1F	Pending	1
	Sustained	1
§ 1-04-1G	Pending	1
§ 1-04-4N	Pending	1
	Unfounded	2
§ 1-04-4P	Pending	1
	Sustained	1
	Unfounded	2
§ 2-26-2B	Exonerated	1
§ 2-48-2 B	Pending	1
§ 2-48-3B 2	Exonerated	1

§ 2-48-7 B	Pending	1
§ 2-48-7 D1	Pending	1
§ 2-52-02A	Exonerated	1
	Pending	3
	Unfounded	1
§ 2-52-06D 2	Sustained	1
Inactivated	Inactivated	26
Pending	Pending	35
Resolved in Mediation	Inactivated	2

## Part II- Characteristics of Complaints

### First Quarterly-2006

As each Citizen Police Complaint (CPC) was received and reviewed by the IRO, data is collected. Citizens provide the data voluntarily when the complaint is submitted. Sometimes the citizens decide not to submit requested information; therefore, the numbers in some areas will not always equal the number of CPCs filed.

#### Citizen Police Complaints Received by IRO

January to March	72	April to June	0
July to September	0	October to December	0

#### By Month of Incident

September 2005	1	October 2005	4	November 2005	4
December 2005	5	May 2005	1		
January 2006	15	February 2006	25	March 2006	17
April 2006	0	May 2006	0	June 2006	0
July 2006	0	August 2006	0	September 2006	0
October 2006	0	November 2006	0	December 2006	0

#### By Month Complaint Was Submitted

January	19	February	22	March	31
April	0	May	0	June	0
July	0	August	0	September	0
October	0	November	0	December	0

#### By Day of Week\*

Sunday	4	Thursday	9
Monday	14	Friday	11
Tuesday	18	Saturday	6
Wednesday	10		

#### By Time of Day\*

Midnight to 3AM	4	3AM to 6AM	1	6AM to Noon	11
Noon to 3PM	6	3PM TO 6PM	9	6PM TO 9PM	7
9PM to Midnight	0	Unknown	34		

\*Some cases did not have a specific date or time or they took place over a period of time



Citizen Characteristics (As reported by the citizen)\*

Sex:	Male	46	Female	29	Unknown	2
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Age:	Juvenile	1	Adult	68	Unknown	6
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By Ages

18-24	13	25-29	5	30-34	7
35-39	6	40-44	8	45-49	8
50-54	4	55-59	5	60+	8
				Unknown	11

Ethnicity:

Caucasian	11	African American	5
Asian	0	Hispanic	15
Latin American	0	Native American	2
Other:	2	Unknown	40

Homeless: 1

Mental Health Issues: 7

\*Some cases had more than one citizen who brought the complaint

Incident Report Filed

Yes	15
No	26
Unknown	31

Belt Tape Used

Yes	2
No	35
Unknown	35

Medical Assistance Called

Yes	10
No	60
Unknown	2

### Part III- Summary of Citizen First Quarterly Report- 2006

*The following is a list of Citizen Police Complaints (CPCs) submitted and reviewed during the year 2005. For each CPC there is listed a summary of the complaint as described by the citizen, the officer involved by numeric code, the implicated Standard Operating Procedures (SOP) for each officer involved, the investigative finding, the IRO's review and Chief of Police's decision. The investigator is indicated as either the IRO or IA.*

*The CPCs received this year are numbered 001-06 through 072-06 and are listed in Section A. Completed investigations are noted. Where the investigation has not been completed, the SOP and Finding indicate: "Pending". Where the investigation had been completed but not reviewed by the IRO, the IRO Review / Chief's Decision will indicate: "pending".*

*Cases from prior years that were reviewed this year, are listed in Section B.*

*The geographic location of each incident is indicated by APD Area Command, City Council District (after redistricting), and Neighborhood Association boundaries.*

#### **Section A:**

#### **Cases received and reviewed this Quarter**

#### **CPC      Summary of Complaint**

**001-06** Citizen upset because APD had her vehicle towed. A red tag sticker was taken off previously when APD put it on as a warning.

**Officer**  
861

**Investigator:**    **IA**

**SOP**

§ 2-48-2 B

§ 2-48-7 B

§ 2-48-7 D1

**Finding**

Pending

Pending

Pending

**IRO Review/Chief's**

Pending

Pending

Pending

**Area Command**

Northeast

**Council District**

4

**Neighborhood Association**

Countrywood Area

**002-06** Citizen stated that while walking home her boyfriend and another guy got into a fight and six police cruisers showed up. The officers were calling them drunk Indians and telling them to go back to the reservation. The citizen was trying to explain to the officers that the guy was the one who started the fight but the officers did not want to hear her story. The female officer kept making racial and vulgar comments toward the citizen and the citizen talked back to the officer. A male officer then attacked the citizen and beat her up. The citizen had to go to the hospital.

<b>Officer</b> 040		<b>Investigator:</b>	<b>IRO</b>
	<b>SOP</b> § 2-52-06D 2	<b>Finding</b> Sustained	<b>IRO Review/Chief's</b> IRO and Chief agreed.
532	<b>SOP</b> § 1-04-4N	<b>Finding</b> Unfounded	<b>IRO Review/Chief's</b> IRO and Chief agreed.
	§ 1-04-4P	Unfounded	IRO and Chief agreed.
741	<b>SOP</b> § 2-52-02A	<b>Finding</b> Exonerated	<b>IRO Review/Chief's</b> IRO and Chief agreed.
<b>Area Command</b> Southeast	<b>Council District</b> 6	<b>Neighborhood Association</b> South San Pedro	

**003-06** Citizen stated that the officer who came and took the report for his stolen vehicle never put it as stolen and it was found a few hours after he reported it stolen but he was not notified until months later and the tow costs were very expensive.

<b>Officer</b> 855		<b>Investigator:</b>	<b>IRO</b>
	<b>SOP</b> § 2-26-2B	<b>Finding</b> Exonerated	<b>IRO Review/Chief's</b> IRO and Chief agreed.
856	<b>SOP</b> § 2-48-3B 2	<b>Finding</b> Exonerated	<b>IRO Review/Chief's</b> IRO and Chief agreed.
<b>Area Command</b> Unknown/NA	<b>Council District</b> N/A	<b>Neighborhood Association</b> Unknown/NA	

**004-06** Citizen stated that it was brought to his attention that a police report was filed on him by one of the employees for fraud.

<b>Officer</b> Unidentified		<b>Investigator:</b>	<b>IA</b>
	<b>SOP</b> Inactivated	<b>Finding</b> Inactivated	<b>IRO Review/Chief's</b> IRO inactivated case needs to be resolved in civil court. Complaint did not allege any unprofessional behavior on the part of the officer.
<b>Area Command</b> Unknown/NA	<b>Council District</b> N/A	<b>Neighborhood Association</b> Unknown/NA	

**005-06** Citizen stated that she was raped and the first set of officers did nothing to help her. They made her feel like she was at fault and accused her of doing drugs. The citizen was never taken to SANE and she is not sure a report was even done. The hospital did verify that she had a head injury but still nothing was done. When she got home she and her aunt called for police again and the officers that responded were a lot better and she was taken to the SANE unit. The citizen was hit in the head and then raped and car jacked.

<b>Officer</b> Unidentified (as of compilation of this report)	<b>Investigator:</b> IRO	
<b>SOP</b> Pending	<b>Finding</b> Pending	<b>IRO Review/Chief's</b> Pending
<b>Area Command</b> Unknown/NA	<b>Council District</b> Unknown	<b>Neighborhood Association</b> Unknown/NA

**006-06**

<b>Officer</b> Unidentified (as of compilation of this report)	<b>Investigator:</b> IRO	
<b>SOP</b> Pending	<b>Finding</b> Pending	<b>IRO Review/Chief's</b> Pending
<b>Area Command</b> Unknown/NA	<b>Council District</b> Unknown	<b>Neighborhood Association</b> Unknown/NA

**007-06** Citizen stated that the officer was unprofessional by cursing at him, throwing his citations and ID at him. The officer also vindictively charged the citizen with careless driving.

<b>Officer</b> 197	<b>Investigator:</b> IRO	
<b>SOP</b> § 1-04-1F	<b>Finding</b> Sustained	<b>IRO Review/Chief's</b> IRO and Chief agreed.
<b>Area Command</b> Westside	<b>Council District</b> 5	<b>Neighborhood Association</b> Alban Hills

**008-06** Citizen stated that a kid rolled over his vehicle and ran into his home. The citizen stated that the officer did not write any information on the report and never cited the kid for DUI.

<b>Officer</b> Unidentified	<b>Investigator:</b> IRO	
<b>SOP</b> Resolved in Mediation	<b>Finding</b> Inactivated	<b>IRO Review/Chief's</b> IRO inactivated. Citizen happy with outcome of mediation.
<b>Area Command</b> Unknown/NA	<b>Council District</b> N/A	<b>Neighborhood Association</b> Unknown/NA

**009-06** Citizen stated officers assaulted him.

**Officer**  
Unidentified

**Investigator:** IRO

**SOP**  
Inactivated

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO inactivated due to 90-day

**Area Command**  
Unknown/NA

**Council District**  
Unknown

**Neighborhood Association**  
Unknown/NA

**010-06** Citizen stated and he was involved in an accident and the other person was at fault but the officer put him at fault on the report. He felt the officers treated him unfairly and made a wrong decision.

**Officer**  
Unidentified

**Investigator:** IRO

**SOP**  
Inactivated

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO inactivated per citizens request.

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**011-06** Citizen stated that he was involved in a accident with an officer. The officer pulled out a gun on him. The citizen felt he used excessive force and wasn't even on duty.

**Officer**  
254

**Investigator:** IRO

**SOP**  
§ 1-04-4N  
§ 1-04-4P  
§ 2-52-02A

**Finding**  
Unfounded  
Unfounded  
Unfounded

**IRO Review/Chief's**  
IRO and Chief agreed.  
IRO and Chief agreed.  
IRO and Chief agreed.

**Area Command**  
Westside

**Council District**  
1

**Neighborhood Association**  
West Mesa

**012-06** Citizen stated he honked his horn at an officer because he thought he was going to hit him. The officer pulled the citizen over and began to harass him. The citizen stated that he was stereotyped. The citizen had surgery and was recovering and the officer gave him a wedgie and irritated the area. He reported the officer to his doctors.

**Officer**  
611

**Investigator:** IRO

**SOP**  
§ 1-04-1G  
§ 1-04-4N  
§ 1-04-4P  
§ 2-52-02A

**Finding**  
Pending  
Pending  
Pending  
Pending

**IRO Review/Chief's**  
Pending  
Pending  
Pending  
Pending

**Area Command**  
Northeast

**Council District**  
2

**Neighborhood Association**  
No neighborhood association

**013-06** Citizen stated that officers beat him up after he signed a ticket. The second incident occurred when the citizen tried to go put an application and an officer told him he needed to see his vehicle information. The citizen told the officer that he was not in the vehicle and why did he need to see the information. The officer told him his tint was to dark. The citizen stated that it was not and the officer arrested him.

**Officer**  
115

**Investigator:** IRO

**SOP**  
§ 2-52-02A

**Finding**  
Pending

**IRO Review/Chief's**  
Pending

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**014-06** Officers detained three teenagers in front of a store. The officers found a pipe on the teenagers and ordered them to destroy it. They did and the citizen stated that the mess was left in their business area to pick up. The citizen would have liked the officers to make sure the mess was not left.

**Officer**  
Unidentified

**Investigator:** IA

**SOP**  
Resolved in  
Mediation

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO and Chief agreed. Citizen happy  
with outcome of mediation.

**Area Command**  
Northeast

**Council District**  
7

**Neighborhood Association**  
Conchas Park

**015-06** Citizen stated that the officer stole \$82.00 from his wallet.

**Officer**  
Unidentified

**Investigator:** IA

**SOP**  
Inactivated

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO inactivated due to 90-day

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**016-06** Citizens stated that the officer pulled them over. Then another officer arrived and began harassing and cursing at everyone. The officer refused to give his name and badge number. When asked for the information he arrested everyone that asked. The citizens stated that the police report was a total lie and that when they told the other officers that they had witnessed what was going on the told the citizen that they did not see anything.

**Officer**  
Unidentified  
(as of compilation of this report)

**Investigator:** IRO

**SOP**  
Pending

**Finding**  
Pending

**IRO Review/Chief's**  
Pending

**Area Command**  
Unknown/NA

**Council District**  
Unknown

**Neighborhood Association**  
Unknown/NA

**017-06** Citizen stated that the officer harassed him. He also took things that belonged to him. The officer stated he was arrested for drugs and the officer flat out lied.

**Officer**  
Unidentified

**Investigator:** IRO

**SOP**  
Inactivated

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO inactivated due to 90-day

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**018-06** Citizen stated that officer confiscated his license plate because it did not belong to the vehicle he was driving. He stated that his other vehicle was broken. The officer wrote him four citations and told the citizen if he did not sign them he would go to jail.

**Officer**  
Unidentified

**Investigator:** IRO

**SOP**  
Inactivated

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO and Chief agreed. Citizen did not allege any unprofessional behavior.

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**019-06** Citizen stated that the officer told him he would get a chance to kill him one day. The officer does not like him because he is African-American and is dating a Hispanic woman.

**Officer**  
Unidentified  
(as of compilation of this report)

**Investigator:** IRO

**SOP**  
Pending

**Finding**  
Pending

**IRO Review/Chief's**  
Pending

**Area Command**  
Unknown/NA

**Council District**  
Unknown

**Neighborhood Association**  
Unknown/NA

**020-06** Citizen stated that a man came and wanted access into the backyard of their home to do telephone work because he was a quest employee. The citizen asked for ID and the man did not have it. He later than arrived with a police officer to let him in. The officer forced the citizen to let him in.

**Officer**  
Unidentified

**Investigator:** IRO

**SOP**  
Inactivated

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO inactivated due to 90-day

**Area Command**  
Westside

**Council District**  
5

**Neighborhood Association**  
Taylor Ranch

**021-06** Citizen stated that police arrived at a party at his apartment and beat him up. He stated the officers beat him up because he is hispanic. The officers used vulgar language.

**Officer**

Unidentified  
(as of compilation of this report)

**Investigator: IRO**

**SOP**

Pending

**Finding**

Pending

**IRO Review/Chief's**

Pending

**Area Command**

Northeast

**Council District**

2

**Neighborhood Association**

Bel-Air

**022-06** Citizen stated that the officer kept pumping his breaks and when they got to a stop sign he got out of the car and said "Get off my fucking ass". The citizen stated that she was not close to the officer. She stated that the officer had a child in his vehicle as well.

**Officer**

667

**Investigator: IRO**

**SOP**

§ 1-04-4P

**Finding**

Sustained

**IRO Review/Chief's**

IRO and Chief agreed.

**Area Command**

Westside

**Council District**

5

**Neighborhood Association**

Volcano Cliffs

**023-06** Citizen stated that she is afraid of her husban and an officer from APD that he knows went to where they live out of state and is now intimidating her.

**Officer**

Unidentified

**Investigator: IA**

**SOP**

Inactivated

**Finding**

Inactivated

**IRO Review/Chief's**

IRO and Chief agreed. Complaint does not allege any unprofessional behavior on the part of the officer.

**Area Command**

Unknown/NA

**Council District**

N/A

**Neighborhood Association**

Unknown/NA

**024-06** Citizen stated that officers spoke at the womans shelter where she was at.

**Officer**

Unidentified

**Investigator: IRO**

**SOP**

Inactivated

**Finding**

Inactivated

**IRO Review/Chief's**

IRO inactivated due to no alleged unprofessional behavior on part of the officer.

**Area Command**

Unknown/NA

**Council District**

N/A

**Neighborhood Association**

Unknown/NA



**025-06** Citizen stated that an officers wife was pretending to be her. She stated she could not be married to all these officers and that she had to many problems with the Chief of Police.

**Officer**

Not an officer

**Investigator:**

**IRO**

**SOP**

Inactivated

**Finding**

Inactivated

**IRO Review/Chief's**

IRO inactivated due to no alleged unprofessional behavior on part of any officer.

**Area Command**

Unknown/NA

**Council District**

N/A

**Neighborhood Association**

Unknown/NA

**026-06** Citizen stated that someone made a false complaint about her regarding drugs. The police have investigated as well as CYFD and there is no truth to the lies. She would like assistance in getting whomever is doing this to her to stop. The person has even vandalized her vehicle.

**Officer**

Not an officer

**Investigator:**

**IRO**

**SOP**

Inactivated

**Finding**

Inactivated

**IRO Review/Chief's**

IRO inactivated due to citizen not signing complaint. Also, citizen did not allege any unprofessional behavior on part of the officer.

**Area Command**

Valley

**Council District**

2

**Neighborhood Association**

Near Valley

**027-06** Citizen staed that the officer keeps harassing them and is getting more officers involved.

**Officer**

Unidentified

(as of compilation of this report)

**Investigator:**

**IA**

**SOP**

Pending

**Finding**

Pending

**IRO Review/Chief's**

Pending

**Area Command**

Unknown/NA

**Council District**

Unknown

**Neighborhood Association**

Unknown/NA

**028-06** Citizen stated that the officer pulled her over for no seat belt and she stated she told him she was. A disagreement went on back and forth. The citizen asked for her citation but the officer pulled her out of the car and told her she was going to jail for refusing to sign the ticket. The citizen suffered bruising and pinched nerves due to the handcuffs. She stated the officer was rude and arrogant.

**Officer**

Unidentified

(as of compilation of this report)

**Investigator:**

**IRO**

**SOP**

Pending

**Finding**

Pending

**IRO Review/Chief's**

Pending

**Area Command**

Unknown/NA

**Council District**

Unknown

**Neighborhood Association**

Unknown/NA

**029-06** Citizen stated was laying down when an officer told him he was sleeping. The citizen stated he was not so the officer maced him for no reason and told him if he ever saw him there again he would throw his shit in the dumpster and send his dog to the pound.

<b>Officer</b> Unidentified (as of compilation of this report)	<b>Investigator:</b> IRO	
<b>SOP</b> Pending	<b>Finding</b> Pending	<b>IRO Review/Chief's</b> Pending
<b>Area Command</b> Unknown/NA	<b>Council District</b> Unknown	<b>Neighborhood Association</b> Unknown/NA

**030-06** Citizen stated that the officer hit his vehicle with his flashlight for no reason and detained him.

<b>Officer</b> 492	<b>Investigator:</b> IRO	
<b>SOP</b> § 1-04-1F § 2-52-02A	<b>Finding</b> Pending Pending	<b>IRO Review/Chief's</b> Pending Pending
<b>Area Command</b> Southeast	<b>Council District</b> 3	<b>Neighborhood Association</b> No neighborhood association

**031-06** Citizen stated that her ex came over and began harassing her and calling her names. She had called the police and they told her if he came back to call them. Later that night at 11pm the kids were asleep. The police came and told the citizen she had to let her kids go with her ex. The citizen told them it was to late and the kids were already asleep but the officer did not care. She told him about the other office who had been there earlier but he told her he was there now and his kids stayed up til 11pm so her kids could go at that time. The kids had to get up and leave. The officer let her ex in the house and she did not want him there.

<b>Officer</b> Unidentified (as of compilation of this report)	<b>Investigator:</b> IA	
<b>SOP</b> Pending	<b>Finding</b> Pending	<b>IRO Review/Chief's</b> Pending
<b>Area Command</b> Northeast	<b>Council District</b> 2	<b>Neighborhood Association</b> Alta-Monte

**032-06** Citizen stated that officers beat him up because his wife called 911 due to a family fight.

**Officer**

Unidentified

(as of compilation of this report)

**Investigator: IRO**

**SOP**

Pending

**Finding**

Pending

**IRO Review/Chief's**

Pending

**Area Command**

Unknown/NA

**Council District**

Unknown

**Neighborhood Association**

Unknown/NA

**033-06** Citizen stated that during a traffic stop the officer told the citizen who would they believe in court. He stated they were both wearing their seatbelts and the officer lied. Also, when in court the officer told him to wait til he was out of his uniform. The citizen is in fear of his safety.

**Officer**

Unidentified

(as of compilation of this report)

**Investigator: IA**

**SOP**

Pending

**Finding**

Pending

**IRO Review/Chief's**

Pending

**Area Command**

Unknown/NA

**Council District**

Unknown

**Neighborhood Association**

Unknown/NA

**034-06** Citizen stated he was falsely arrested for assault on a woman who owed him money but refused to pay him. She attacked him and then call the police to get rid of him so she would not have to pay him. The woman was not injured but he was and the officers should have arrested her and not him.

**Officer**

Unidentified

**Investigator: IRO**

**SOP**

Inactivated

**Finding**

Inactivated

**IRO Review/Chief's**

IRO inactivated because the issue needs to be settled in court by a judge.

**Area Command**

Unknown/NA

**Council District**

N/A

**Neighborhood Association**

Unknown/NA

**035-06** Citizen stated that officers falsely accused him of breaking and entering and he was never given any criminal complaint or anything.

**Officer**

Unidentified

**Investigator: IRO**

**SOP**

Inactivated

**Finding**

Inactivated

**IRO Review/Chief's**

IRO inactivated due to no unprofessional behavior accused on the officers. Also, a criminal court has authority to decide the issue.

**Area Command**

Southeast

**Council District**

3

**Neighborhood Association**

Silver Hill

**036-06** Citizen was in a bus ride going through Albuquerque. Everything else in the complaint discussed issues that were uncomprehendable.

<b>Officer</b> Not an officer	<b>Investigator:</b> IRO	
<b>SOP</b> Inactivated	<b>Finding</b> Inactivated	<b>IRO Review/Chief's</b> IRO inactivated due to no misconduct alleged.
<b>Area Command</b> Unknown/NA	<b>Council District</b> N/A	<b>Neighborhood Association</b> Unknown/NA

**037-06** Citizen stated that he is suicidal and officers were called out because he was having an episode. He believed they took his knife and medications. He stated that the officer called him a faggot in front of the EMTs and his partner.

<b>Officer</b> Unidentified (as of compilation of this report)	<b>Investigator:</b> IA	
<b>SOP</b> Pending	<b>Finding</b> Pending	<b>IRO Review/Chief's</b> Pending
<b>Area Command</b> Southeast	<b>Council District</b> 3	<b>Neighborhood Association</b> Sycamore

**038-06** Citizen stated that her son was chased by eight APD officers and a APD helicopter. She stated her son did nothing and they beat him up badly. She stated his tooth is going to fall out.

<b>Officer</b> Unidentified (as of compilation of this report)	<b>Investigator:</b> IRO	
<b>SOP</b> Pending	<b>Finding</b> Pending	<b>IRO Review/Chief's</b> Pending
<b>Area Command</b> Unknown/NA	<b>Council District</b> Unknown	<b>Neighborhood Association</b> Unknown/NA

**039-06** Citizen stated that police were called out and they harassed her. She stated she did not call them someone else did. She also stated that the officers recognized her from previous years and all they do is harass her.

<b>Officer</b> Unidentified (as of compilation of this report)	<b>Investigator:</b> IA	
<b>SOP</b> Pending	<b>Finding</b> Pending	<b>IRO Review/Chief's</b> Pending
<b>Area Command</b> Foothills	<b>Council District</b> 9	<b>Neighborhood Association</b> Supper Rock

**040-06** Citizen stated that a Dr. implanted multiple microchips in his mouth. He stated that they are tracking devices. He stated that the cops are trying to cover up a conspiracy for NASA and all government agencies. The officers wanted to take him to 2600 Marble for a psychiatric evaluation just to make him mentally incapable to address this issue and to further conceal a conspiracy about the operation.

<b>Officer</b> Unidentified	<b>Investigator:</b> IRO	
<b>SOP</b> Inactivated	<b>Finding</b> Inactivated	<b>IRO Review/Chief's</b> IRO inactivated due no complaint alleging any unprofessional behavior on the part of the officers.
<b>Area Command</b> Unknown/NA	<b>Council District</b> N/A	<b>Neighborhood Association</b> Unknown/NA

**041-06** Citizen stated that when her vehicle was towed it had a full tank of gas and after the police had it towed the tank was empty. She would just like to be reimbursed for the gas that was taken.

<b>Officer</b> Not an officer	<b>Investigator:</b> IA	
<b>SOP</b> Pending	<b>Finding</b> Pending	<b>IRO Review/Chief's</b> Pending
<b>Area Command</b> Unknown/NA	<b>Council District</b> Unknown	<b>Neighborhood Association</b> Unknown/NA

**042-06** Citizen stated her daughter and granddaughter had car problems and the daughter tried to flag down three officers for help and they just kept driving. None would help her out.

<b>Officer</b> Unidentified (as of compilation of this report)	<b>Investigator:</b> IRO	
<b>SOP</b> Pending	<b>Finding</b> Pending	<b>IRO Review/Chief's</b> Pending
<b>Area Command</b> Unknown/NA	<b>Council District</b> Unknown	<b>Neighborhood Association</b> Unknown/NA

**043-06** Citizen stated that her sons vehicle was cited and a sticker was put on his window. She stated that everything was current on the vehicle and would like to know why her sons car was targeted.

<b>Officer</b> Unidentified (as of compilation of this report)	<b>Investigator:</b> IRO	
<b>SOP</b> Pending	<b>Finding</b> Pending	<b>IRO Review/Chief's</b> Pending
<b>Area Command</b> Westside	<b>Council District</b> 5	<b>Neighborhood Association</b> Vista Grande

**044-06** Citizen stated that she called 911 to have her escorted to get her belongings from a repossessed car. She stated that the operator then called her back and told her there would be no officer dispatched. The citizen left and later received a call asking why she had left the scene. She is upset because she got the run around and then was lied to. She would like her property back.

**Officer**  
Civilian Employee

**Investigator:** IRO

**SOP**  
Inactivated

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO inactivated. Citizen did not return complaint signed.

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**045-06** Citizen stated that he and his wife were handcuffed and threatened with arrest for asking for the damn ticket. Their daughter also called the officer a pig and he got upset and put his face in hers and told her to never say that again or he would take her to the d-home.

**Officer**  
Unidentified  
(as of compilation of this report)

**Investigator:** IA

**SOP**  
Pending

**Finding**  
Pending

**IRO Review/Chief's**  
Pending

**Area Command**  
Unknown/NA

**Council District**  
Unknown

**Neighborhood Association**  
Unknown/NA

**046-06** Citizen stated that an officer threw her son out of Dions pizza because he was African-American.

**Officer**  
Unidentified  
(as of compilation of this report)

**Investigator:** IRO

**SOP**  
Pending

**Finding**  
Pending

**IRO Review/Chief's**  
Pending

**Area Command**  
Unknown/NA

**Council District**  
Unknown

**Neighborhood Association**  
Unknown/NA

**047-06** Citizen stated that she had cleared up a parking problem with an officer who did security at the apartment complex she was at. She felt the issue was resolved. While at her vehicle another off-duty officer approached her and she did not believe him to be an officer. She called 911. When other units were on there way the off-duty officer left and came back with his badge and unit. She would like to know why he was harassing her.

<b>Officer</b> Unidentified (as of compilation of this report)	<b>Investigator:</b> IRO	
<b>SOP</b> Pending	<b>Finding</b> Pending	<b>IRO Review/Chief's</b> Pending
<b>Area Command</b> Unknown/NA	<b>Council District</b> Unknown	<b>Neighborhood Association</b> Unknown/NA

**048-06** Citizen stated that he was arrested and never told why. He was then taken to pick up more prisoners to be taken to the jail with him. He stated that the officers did not show up to court. He stated that for the DMV hearing one officer was cooperative but the other was

<b>Officer</b> Unidentified (as of compilation of this report)	<b>Investigator:</b> IA	
<b>SOP</b> Pending	<b>Finding</b> Pending	<b>IRO Review/Chief's</b> Pending
<b>Area Command</b> Unknown/NA	<b>Council District</b> Unknown	<b>Neighborhood Association</b> Unknown/NA

**049-06** Citizen stated that the officer cited him for not wearing a seat belt and he was. He stated that the officer admitted that he was not sure if he had one on or not.

<b>Officer</b> Unidentified	<b>Investigator:</b> IRO	
<b>SOP</b> Inactivated	<b>Finding</b> Inactivated	<b>IRO Review/Chief's</b> IRO inactivated due to a judge being able to decide the issue.
<b>Area Command</b> Unknown/NA	<b>Council District</b> N/A	<b>Neighborhood Association</b> Unknown/NA

**050-06** Citizen stated that she was at her sons school to discuss a policy that she did not agree with. She stated that she was asking the receptionist questions and the officer kept interrupting rudely and told the citizen she would put her nose into any conversation she wanted. The citizen asked the officer several times to mind her business and she did not. When the citizen was walking off with the principal to discuss the issues the officer told the principal that she would be right there if she needed her.

**Officer**  
Unidentified

**Investigator:** IRO

**SOP**  
Inactivated

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO inactivated due to citizen not signing complaint. Complaint needs to be signed per APOA contract.

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**051-06** Citizen stated that an officer let a citizen drive off while drunk and she gets cited for speeding.

**Officer**  
Not an officer

**Investigator:** IRO

**SOP**  
Inactivated

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO inactivated due to citizen not being in the stated when the alleged incident occurred. IRO spoke with citizens family whom stated that the citizen had never visited NM.

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**052-06** Citizen stated that the officer tried to pull him over for about 5 minutes but he did not pull over immediately because his dog was having seizures and he needed to get her to a vet immediately. The officer threatened him with a tazer and jail. The citizen felt the officer could have let someone take his dog in to the vet or let personnel come help but he didn't care. He stated the officer lied on his police report.

**Officer**  
Unidentified  
(as of compilation of this report)

**Investigator:** IRO

**SOP**  
Pending

**Finding**  
Pending

**IRO Review/Chief's**  
Pending

**Area Command**  
Unknown/NA

**Council District**  
Unknown

**Neighborhood Association**  
Unknown/NA



**053-06** Citizen stated that he parked behind an officer at a gas station. The officer told him to move his vehicle because he was in a no parking zone. The citizen told the officer that he was also in the no parking zone. The officer told him he was on official business. The citizen stated the officer got a soda and left.

**Officer**  
Unidentified

**Investigator:** IRO

**SOP**  
Inactivated

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO inactivated due to citizen not signing complaint. Complaint needs to be signed per APOA contract.

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**054-06** Citizen stated that he was in an accident and he and the other driver exchanged information. Later officers arrived cited him and used excessive force by pushing him against the wall and making him bleed.

**Officer**  
Unidentified  
(as of compilation of this report)

**Investigator:** IRO

**SOP**  
Pending

**Finding**  
Pending

**IRO Review/Chief's**  
Pending

**Area Command**  
Unknown/NA

**Council District**  
Unknown

**Neighborhood Association**  
Unknown/NA

**055-06** Citizen would like to know why the officer was not at court for an aggravated DWI charge. Because the officer failed to appear in court the offender is free because the case was dismissed.

**Officer**  
Unidentified

**Investigator:** IA

**SOP**  
Inactivated

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO and Chief agreed. Officer already disciplined regarding this issue.

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**056-06** Citizen stated that a guy asked him for change and he gave the guy change at his vehicle. A SUV came up and pointed guns at him and used excessive force. Accusing him of selling drugs. The citizen told the officers he did not know the man and he just gave him change. The officers let the citizen go after they knew he was not lying.

**Officer**

Unidentified  
(as of compilation of this report)

**Investigator: IA**

**SOP**

Pending

**Finding**

Pending

**IRO Review/Chief's**

Pending

**Area Command**

Unknown/NA

**Council District**

Unknown

**Neighborhood Association**

Unknown/NA

**057-06** Citizen stated that she was arrested and never read her rights. Also, the officer cuffed her hands in the back and her medical condition doesn't allow that.

**Officer**

Unidentified  
(as of compilation of this report)

**Investigator: IRO**

**SOP**

Pending

**Finding**

Pending

**IRO Review/Chief's**

Pending

**Area Command**

Southeast

**Council District**

3

**Neighborhood Association**

Silver Hill

**058-06** Citizen stated that she evicted a tenant. She stated days later the tenant arrived at her home with officers and friends. The officers told her that she had no business there and kicked her out and let the tenant take whatever he wanted. When the citizen arrived home she called 911 and was told by other officers that what they officers did was wrong.

**Officer**

Unidentified  
(as of compilation of this report)

**Investigator: IA**

**SOP**

Pending

**Finding**

Pending

**IRO Review/Chief's**

Pending

**Area Command**

Unknown/NA

**Council District**

Unknown

**Neighborhood Association**

Unknown/NA

**059-06** Citizen stated that everytime the officer sees her and her children without her husband the officer runs his sirens. She stated he is crazy and scares them.

**Officer**

Unidentified

**Investigator: IRO**

**SOP**

Inactivated

**Finding**

Inactivated

**IRO Review/Chief's**

IRO inactivated due to no vehicle with information provided by citizen exists.

**Area Command**

Unknown/NA

**Council District**

N/A

**Neighborhood Association**

Unknown/NA

**060-06** Citizen stated that she witnessed officers hit a boy after being handcuffed.

**Officer**

Unidentified

(as of compilation of this report)

**Investigator: IRO**

**SOP**

Pending

**Finding**

Pending

**IRO Review/Chief's**

Pending

**Area Command**

Unknown/NA

**Council District**

Unknown

**Neighborhood Association**

Unknown/NA

**061-06** Citizen stated that the officer began choking him for no reason and the detective took pictures of his injuries. He then fell and photos were taken of those injuries as well.

**Officer**

Unidentified

(as of compilation of this report)

**Investigator: IRO**

**SOP**

Pending

**Finding**

Pending

**IRO Review/Chief's**

Pending

**Area Command**

Unknown/NA

**Council District**

Unknown

**Neighborhood Association**

Unknown/NA

**062-06** Citizen stated that the officer was talking on her cell and typing on her computer in the car. He stated the officer was swerving and everything. He stated she should pull over and do her business the way citizens are told to do so.

**Officer**

Unidentified

(as of compilation of this report)

**Investigator: IRO**

**SOP**

Pending

**Finding**

Pending

**IRO Review/Chief's**

Pending

**Area Command**

Unknown/NA

**Council District**

Unknown

**Neighborhood Association**

Unknown/NA

**063-06** Citizen stated that officers lied and falsified information on police reports.

**Officer**

Unidentified

**Investigator: IRO**

**SOP**

Inactivated

**Finding**

Inactivated

**IRO Review/Chief's**

IRO inactivated due to 90-day

**Area Command**

BCSO

**Council District**

N/A

**Neighborhood Association**

Unknown/NA

**064-06** Citizen stated that he was involved in an accident and the report has not been at records

**Officer**  
BCSO

**Investigator:** IRO

**SOP**  
Inactivated

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO inactivated due to officer being BCSO and not APD. No jurisdiction.

**Area Command**  
BCSO

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**065-06** Citizen discussed issues regarding satanic rituals, wicken rituals and officers being involved in the conspiracy.

**Officer**  
Not an officer

**Investigator:** IRO

**SOP**  
Inactivated

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO inactivated due to 90-day

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**066-06** Citizens stated that officers came to their home and harassed them because her husband was incarcerated. They asked them about the suspect that killed the Sheriffs officer. One of the officers called the citizen a bitch and wanted him to come outside to settle things.

**Officer**  
Unidentified  
(as of compilation of this report)

**Investigator:** IA

**SOP**  
Pending

**Finding**  
Pending

**IRO Review/Chief's**  
Pending

**Area Command**  
Unknown/NA

**Council District**  
Unknown

**Neighborhood Association**  
Unknown/NA

**067-06** Citizen stated an officer and his partner took his property.

**Officer**  
Unidentified  
(as of compilation of this report)

**Investigator:** IRO

**SOP**  
Pending

**Finding**  
Pending

**IRO Review/Chief's**  
Pending

**Area Command**  
Unknown/NA

**Council District**  
Unknown

**Neighborhood Association**  
Unknown/NA

**068-06** Citizen stated that he was dieabetic and had neuropathy and could not pass a field sobriety test because his sugar was at 489. The officers told him if he'd cooperate he would release the vehicle to his mother. At court the officer denied this.

**Officer**  
Unidentified

**Investigator:** IRO

**SOP**  
Inactivated

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO inactivated. Issues in complaint need to be decided by a judge for the criminal case.

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**069-06** Citizen stated that her neighbors were throwing something against her wall and always do. She called to have officers come out and deal with the situation. The officers arrived and one of the officers searched her house and had an attitude and told her she should go talk to the neighbors herself.

**Officer**  
Unidentified  
(as of compilation of this report)

**Investigator:** IA

**SOP**  
Pending

**Finding**  
Pending

**IRO Review/Chief's**  
Pending

**Area Command**  
Unknown/NA

**Council District**  
Unknown

**Neighborhood Association**  
Unknown/NA

**070-06** Citizen stated that she was not read her rights and the officer did not return her drivers license. She stated that the way the officer was acting she was fearful that he was not really a cop.

**Officer**  
Unidentified  
(as of compilation of this report)

**Investigator:** IRO

**SOP**  
Pending

**Finding**  
Pending

**IRO Review/Chief's**  
Pending

**Area Command**  
Unknown/NA

**Council District**  
Unknown

**Neighborhood Association**  
Unknown/NA

**071-06** Citizen stated he was having soda at the fast food restraunt when an officer came and threw him and his friends out. The citizen asked the citizen why he had to leave since he was a paying customer. The officer began to threaten him with arrest.

**Officer**  
Unidentified  
(as of compilation of this report)

**Investigator:** IRO

**SOP**  
Pending

**Finding**  
Pending

**IRO Review/Chief's**  
Pending

**Area Command**  
Unknown/NA

**Council District**  
Unknown

**Neighborhood Association**  
Unknown/NA

**072-06** Citizen stated that his vehicle was towed and is current on registration, insurance and all. The vehicle is always used but the PSA had it towed and he don't know why.

<b>Officer</b> Unidentified (as of compilation of this report)	<b>Investigator:</b> <b>IA</b>
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<b>SOP</b> Pending	<b>Finding</b> Pending	<b>IRO Review/Chief's</b> Pending
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<b>Area Command</b> Unknown/NA	<b>Council District</b> Unknown	<b>Neighborhood Association</b> Unknown/NA
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**Section B:**  
**Cases opened in prior Year(s); Reviewed this Quarter**

**CPC      Summary of Complaint**

**125-05** Citizen stated that APD was taking away from his funeral escort business by escorting funerals. Also, APD officers were harassing his escort employees.

<b>Officer</b> 234		<b>Investigator:</b> <b>IA</b>	
	<b>SOP</b>	<b>Finding</b>	<b>IRO Review/Chief's</b>
	§ 1-04-4P	Unfounded	IRO and Chief agreed.
	§ 2-17-3	Exonerated	IRO and Chief agreed.
793			
	<b>SOP</b>	<b>Finding</b>	<b>IRO Review/Chief's</b>
	§ 1-04-4P	Unfounded	IRO and Chief agreed.
	§ 2-17-3	Exonerated	IRO and Chief agreed.
<b>Area Command</b> Valley	<b>Council District</b> 2	<b>Neighborhood Association</b> Santa Barbara/Martinez Town	

**172-05** Citizen and a friend were reading the paper at a park when five officers arrived. One of the officer hit the citizen in the head with a closed fist. The officers made the citizen pick up trash at the scene. Both were cited for drinking in public. Citizen did not have any liquor.

<b>Officer</b> 115		<b>Investigator:</b> <b>IA</b>	
	<b>SOP</b>	<b>Finding</b>	<b>IRO Review/Chief's</b>
	§ 1-04-4A	Exonerated	IRO and Chief agreed.
	§ 1-04-6I	Exonerated	IRO and Chief agreed.
	§ 2-52-02A	Exonerated	IRO and Chief agreed.
244			
	<b>SOP</b>	<b>Finding</b>	<b>IRO Review/Chief's</b>
	§ 1-04-4A	Exonerated	IRO and Chief agreed.
<b>Area Command</b> Southeast	<b>Council District</b> 6	<b>Neighborhood Association</b> Fair West	

**195-05** Citizen stated that her son was arrested for talking to someone in a police car. The officers told him to get away from the car and he did. While walking away the officers attacked him. She is not sure if he was tazered or not. The citizen stated that she went to the substation and talked to a supervisor and he was making sarcastic remarks to her

**Officer**  
480

**Investigator: IRO**

**SOP**

§ 1-03-3A

§ 2-34-5

§ 2-52-02A

**Finding**

Exonerated

Exonerated

Exonerated

**IRO Review/Chief's**

IRO and Chief agreed.

IRO and Chief agreed.

IRO and Chief agreed.

829

**SOP**

§ 1-04-1F

§ 1-04-4P

**Finding**

Sustained

Sustained

**IRO Review/Chief's**

IRO and Chief agreed.

IRO and Chief agreed.

**Area Command**  
Foothills

**Council District**  
9

**Neighborhood Association**  
Chelwood Vista

**203-05** Citizen stated that the officer that pulled him over told him he was driving like a jackass. The officer gave him tickets for illegal tint and illegal exhaust. The officer never tested his tint or exhaust.

**Officer**  
827

**Investigator: IA**

**SOP**

§ 1-04-1F

§ 1-04-4P

**Finding**

Sustained

Sustained

**IRO Review/Chief's**

IRO and Chief agreed.

IRO and Chief agreed.

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA



**210-05** Citizen stated that he was arrested for no seat belt and no registration because he refused to sign the ticket. He stated that the officers and the staff at the jail were unprofessional and had no respect for themselves.

<b>Officer</b> 705		<b>Investigator:</b> IA	
	<b>SOP</b> § 1-04-1F	<b>Finding</b> Exonerated	<b>IRO Review/Chief's</b> IRO and Chief agreed.
765	<b>SOP</b> § 1-04-1F	<b>Finding</b> Sustained	<b>IRO Review/Chief's</b> IRO and Chief agreed.
	§ 1-04-4A	Sustained	IRO and Chief agreed.
	§ 1-04-4N	Exonerated	IRO and Chief agreed.
	§ 1-39-1A 8	Sustained	IRO and Chief agreed.
	§ 2-19-5	Exonerated	IRO and Chief agreed.

<b>Area Command</b> Westside	<b>Council District</b> 5	<b>Neighborhood Association</b> River Fronte Estates Inc.
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**211-05** Citizen stated that the officer would not let her used the restroom and called her a prostitute and drug addict. He also told her to shut the fuck up.

<b>Officer</b> 504		<b>Investigator:</b> IA	
	<b>SOP</b> § 1-04-1G 1	<b>Finding</b> Sustained	<b>IRO Review/Chief's</b> IRO and Chief agreed.
	§ 1-04-4P	Unfounded	IRO and Chief agreed.
836	<b>SOP</b> § 1-04-4P	<b>Finding</b> Unfounded	<b>IRO Review/Chief's</b> IRO and Chief agreed.

<b>Area Command</b> Foothills	<b>Council District</b> 9	<b>Neighborhood Association</b> No neighborhood association
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**217-05** Citizens stated that officers entered the home without permission and handcuffed everyone even grandsons who just came home from work after the officers were already there. The officers stated that a 911 hangup had occurred. Other officers arrived and a Sergeant arrived and took control. The two original officers were rude and unprofessional.

<b>Officer</b> 752		<b>Investigator:</b> IA	
	<b>SOP</b>	<b>Finding</b>	<b>IRO Review/Chief's</b>
	§ 1-04-1F	Exonerated	IRO and Chief agreed.
	§ 1-04-4P	Not Sustained	IRO and Chief agreed.
	§ 2-17-10	Exonerated	IRO and Chief agreed.
	§ 2-52-02A	Exonerated	IRO and Chief agreed.
813	<b>SOP</b>	<b>Finding</b>	<b>IRO Review/Chief's</b>
	§ 1-04-1F	Exonerated	IRO and Chief agreed.
	§ 2-52-02A	Exonerated	IRO and Chief agreed.
826	<b>SOP</b>	<b>Finding</b>	<b>IRO Review/Chief's</b>
	§ 1-04-1F	Sustained	IRO and Chief agreed.
	§ 1-04-4P	Not Sustained	IRO and Chief agreed.
	§ 2-17-10	Exonerated	IRO and Chief agreed.
	§ 2-52-02A	Exonerated	IRO and Chief agreed.

<b>Area Command</b> Southeast	<b>Council District</b> 6	<b>Neighborhood Association</b> South San Pedro
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**222-05** Citizen stated that she wanted a police report for criminal trespassing because the people that rent at her building let repair men work on the air condition and did not notify the tenants.

<b>Officer</b> 713		<b>Investigator:</b> IA	
	<b>SOP</b>	<b>Finding</b>	<b>IRO Review/Chief's</b>
	§ 1-04-1F	Exonerated	IRO and Chief agreed.
	§ 1-04-4O	Exonerated	IRO and Chief agreed.
830	<b>SOP</b>	<b>Finding</b>	<b>IRO Review/Chief's</b>
	§ 1-04-1F	Exonerated	IRO and Chief agreed.
	§ 1-04-4P	Exonerated	IRO and Chief agreed.

<b>Area Command</b> Foothills	<b>Council District</b> 8	<b>Neighborhood Association</b> No neighborhood association
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**228-05** Citizen stated that his vehicle was towed by an officer and that it was not parked in the area for more than one day. The citizen would like the cost of the tow and charges

**Officer**  
832

**Investigator: IA**

**SOP**  
§ 2-48-2 B  
§ 2-48-3B 2

**Finding**  
Exonerated  
Exonerated

**IRO Review/Chief's**  
IRO and Chief agreed.  
IRO and Chief agreed.

833

**SOP**  
§ 2-48-3B 2

**Finding**  
Exonerated

**IRO Review/Chief's**  
IRO and Chief agreed.

**Area Command**  
Foothills

**Council District**  
9

**Neighborhood Association**  
Singing Arrow

**236-05** Citizen stated that he was threatened by an officer with arrest if he did not give a customer his money back. The citizen refused to give the money back and stated it was a civil matter and the customer could take him to court. The citizen stated that the officer and customer seemed to be friends.

**Officer**  
844

**Investigator: IA**

**SOP**  
§ 1-04-4N  
§ 1-04-4Q

**Finding**  
Exonerated  
Exonerated

**IRO Review/Chief's**  
IRO and Chief agreed.  
IRO and Chief agreed.

**Area Command**  
Southeast

**Council District**  
6

**Neighborhood Association**  
South San Pedro

**245-05** Citizen stated he was at his cousins waiting for his cousin to arrive when two officers approached him and asked what he was doing. The citizen told them he was waiting for his cousin because he did not have a key and his cousin was on his way. The officers stated that a loud party complaint was called in. The citizen stated he did not know anything about a party and was just waiting for his cousin. The officers asked for his license and began ruffing the citizen up. The citizen stated the officers were hitting him on his head. The citizen stated that his cousin arrived and witnessed the police pushing the citizen around. The citizen stated that he was never frisked. He stated that on his way to the jail he called his mother and the officer heard him on the cell phone and pulled over on the freeway and took his stuff. The citizen refused to sign the items log because his things

<b>Officer</b> 820		<b>Investigator:</b> IA	
	<b>SOP</b>	<b>Finding</b>	<b>IRO Review/Chief's</b>
	§ 1-03-3A	Unfounded	IRO and Chief agreed.
	§ 1-04-4P	Exonerated	IRO and Chief agreed.
	§ 2-52-02A	Exonerated	IRO and Chief agreed.
839			
	<b>SOP</b>	<b>Finding</b>	<b>IRO Review/Chief's</b>
	§ 1-03-3A	Unfounded	IRO and Chief agreed.
	§ 1-04-4P	Sustained	IRO and Chief agreed.
	§ 2-08-1	Exonerated	IRO and Chief agreed.
	§ 2-52-02A	Exonerated	IRO and Chief agreed.

<b>Area Command</b>	<b>Council District</b>	<b>Neighborhood Association</b>
Southeast	6	No neighborhood association

**247-05** Citizen stated that while at the police station she needed the restroom and after waiting an hour the officer took her. Her phone rang while in the restroom so she answered. The officer then took her by her arm and pulled her off the toilet. She stated she kept asking him if she could pick up her pants and he would not let her. She felt he should not have barged in with her pants and underwear down and should not have even been in the bathroom with her.

<b>Officer</b> 841		<b>Investigator:</b> IRO	
	<b>SOP</b>	<b>Finding</b>	<b>IRO Review/Chief's</b>
	§ 1-04-1F	Exonerated	IRO and Chief agreed.
	§ 2-52-02A	Exonerated	IRO and Chief agreed.

<b>Area Command</b>	<b>Council District</b>	<b>Neighborhood Association</b>
Southeast	6	No neighborhood association

**251-05** Citizen stated that his friends called him for a ride home because they had been drinking. The citizen was pulled over after picking up his friends. The officer slammed the door on his arm and was yelling at him and being rude. The citizen and another vehicle must have hit one another because the other vehicle was speeding. The officer was rude and yelling at him and his friends. The officer also searched the vehicle without permission.

**Officer**  
831

**Investigator: IA**

**SOP**

§ 1-04-1F

§ 1-04-4P

§ 1-39-1A 5

**Finding**

Sustained

Sustained

Not Sustained

**IRO Review/Chief's**

IRO and Chief agreed.

IRO and Chief agreed.

IRO and Chief agreed.

**Area Command**  
Valley

**Council District**  
2

**Neighborhood Association**  
Wells Park

**255-05** Citizen was pulled over for a traffic violation. The officer called him a liar and made blonde remarks about herself.

**Officer**  
717

**Investigator: IA**

**SOP**

§ 1-04-4P

§ 2-48-2D 1a1

**Finding**

Exonerated

Exonerated

**IRO Review/Chief's**

IRO and Chief agreed.

IRO and Chief agreed.

**Area Command**  
Foothills

**Council District**  
9

**Neighborhood Association**  
No neighborhood association

**258-05** Citizen stated that she was having a bbq for her b-day and that officers came because of a noise complaint. The officers were rude and cited her and others. The officer forced her to sign citations and did not make sure her guests were not intoxicated before making them leave.

**Officer**  
105

**Investigator: IA**

**SOP**

§ 1-04-4P

**Finding**

Exonerated

**IRO Review/Chief's**

IRO and Chief agreed.

450

**SOP**

§ 1-03-3A

§ 1-04-4P

§ 2-52-02C

**Finding**

Unfounded

Exonerated

Exonerated

**IRO Review/Chief's**

IRO and Chief agreed.

IRO and Chief agreed.

IRO and Chief agreed.

846

**SOP**

§ 1-04-4P

**Finding**

Exonerated

**IRO Review/Chief's**

IRO and Chief agreed.

**Area Command**  
Valley

**Council District**  
3

**Neighborhood Association**  
Barelas

**260-05** Citizen stated that her son has bi-polar and he was having a episode. She called 911 for an ambulance to take him to UNM mental health. Officers arrived on the scene and made things worse. Officers beat her son up and took him to jail. The tazed him and used a bean bag on him. She called for an ambulance and instead the police abused her son. She would like to know if this is the way the mentally ill are to be handled so she won't call 911 anymore.

<b>Officer</b> 583		<b>Investigator:</b>	<b>IRO</b>
	<b>SOP</b> § 2-52-02A	<b>Finding</b> Exonerated	<b>IRO Review/Chief's</b> IRO and Chief agreed.
837	<b>SOP</b> § 2-52-02A	<b>Finding</b> Exonerated	<b>IRO Review/Chief's</b> IRO and Chief agreed.
838	<b>SOP</b> § 2-52-02A	<b>Finding</b> Exonerated	<b>IRO Review/Chief's</b> IRO and Chief agreed.
<b>Area Command</b> Valley	<b>Council District</b> 3	<b>Neighborhood Association</b> South Broadway	

**267-05** Citizen stated that the officer cited him for no insurance because his paperwork was a copy. He stated that it was the original.

<b>Officer</b> 230		<b>Investigator:</b>	<b>IRO</b>
	<b>SOP</b> § 1-04-1F	<b>Finding</b> Not Sustained	<b>IRO Review/Chief's</b> IRO and Chief agreed.
<b>Area Command</b> Northeast	<b>Council District</b> 2	<b>Neighborhood Association</b> Bel-Air	

**270-05** Citizen stated that two officers in masks came in to execute a warrant on a previous tenant. The citizen tried showing the officers the lease agreement but they refused. The officer slapt him in the temple with a flashlight and were telling him he had no fucking rights and called him a punk. The citizen was hit in the stomach. He stated tha the officer pushed him to his knees and pulled his shorts down and stuck his fingers in his anus thrusting his finger in and out making comments that the citizen liked it. He began telling the citizen he would make a good bitch where he was going. The officer showed the citizen a blade and told him he would turn him into a realy bitch. The officer then told him to tell him where the drugs were and the citizen could feel the blade by his testicle. The officer told the citizen to give up his homies or his balls. The officers broke CDs and furniture. The citizen was not arrested that night. The officers told the citizen that they would fuck with him everyday until he was out of their block. Since then several officers have been harassing him at his home.

**Officer**  
Unidentified

**Investigator:** IRO

**SOP**  
Inactivated

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO and Chief agreed. The District Attorney investigated the case and concluded that there was no assault.

**Area Command**  
Foothills

**Council District**  
9

**Neighborhood Association**  
Singing Arrow

**274-05** Citizen stated that officers were called to a restruant because of his hat. The officers slammed him down because he asked for a blood test and did not want to do a breathalyzer. He stated that the officers kept some of his property and that they did not let him use the bathroom so he used it on himself twice.

**Officer**  
261

**Investigator:** IA

**SOP**  
§ 1-04-1C  
§ 2-52-02A

**Finding**  
Unfounded  
Exonerated

**IRO Review/Chief's**  
IRO and Chief agreed.  
IRO and Chief agreed.

842

**SOP**  
§ 1-04-1C  
§ 1-04-1F  
§ 2-52-02D

**Finding**  
Unfounded  
Exonerated  
Exonerated

**IRO Review/Chief's**  
IRO and Chief agreed.  
IRO and Chief agreed.  
IRO and Chief agreed.

843

**SOP**  
§ 2-52-06D 2a

**Finding**  
Sustained

**IRO Review/Chief's**  
IRO and Chief agreed.

**Area Command**  
Northeast

**Council District**  
4

**Neighborhood Association**  
AcadmeY Acres North

**276-05** Citizen stated that he was pulled over and told he had no registration or insurance. The citizen stated that the officer called him a criminal. Both officers acted unprofessional.

**Officer**  
240

**Investigator:** IA

**SOP**  
§ 1-04-4P  
§ 1-04-4Q

**Finding**  
Not Sustained  
Not Sustained

**IRO Review/Chief's**  
IRO and Chief agreed.  
IRO and Chief agreed.

**Area Command**  
Foothills

**Council District**  
9

**Neighborhood Association**  
No neighborhood association

**277-05** Citizen stated that he was getting information from a for sale vehicle. Three officers on bikes approached him and made him get out of his vehicle and turn out his cigarette. The citizen threw the cigarette down and turned it off. The officers gave him a ticket for loitering and told him they could make things a lot worse for him.

**Officer**  
835

**Investigator:** IRO

**SOP**  
§ 1-04-1F

**Finding**  
Not Sustained

**IRO Review/Chief's**  
IRO and Chief agreed.

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**283-05** Citizen stated that an officer and chaplin took her to mental health hospital to talk to someone. She stated that the officer would not listen to her and that her doors were locked and wondered how the officer accomplished locking the doors without a key.

**Officer**  
834

**Investigator:** IRO

**SOP**  
§ 1-04-1F

**Finding**  
Unfounded

**IRO Review/Chief's**  
IRO and Chief agreed.

**Area Command**  
Field Services

**Council District**  
9

**Neighborhood Association**  
Supper Rock

**284-05** Citizen and her son stated that an officer treated him badly at school. They stated that there had been more than one incident.

**Officer**  
849

**Investigator:** IA

**SOP**  
§ 1-04-1G 1  
§ 1-05-6A

**Finding**  
Exonerated  
Sustained

**IRO Review/Chief's**  
IRO and Chief agreed.  
IRO and Chief agreed.

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA



**288-05** Citizen stated that he was arrested and the officer acted inappropriately and used excessive force. He stated that when he was pushed by the officer and knocked off his feet and caused him to get bruised tendons per his doctor. The handcuffs also hurt his

**Officer**  
759

**Investigator:** IRO

**SOP**

§ 1-04-4N  
§ 2-52-02A

**Finding**

Unfounded  
Exonerated

**IRO Review/Chief's**

IRO and Chief agreed.  
IRO and Chief agreed.

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**292-05** Citizen stated that her daughter was arrested for using a gag toy at school and the officer pushed her hard on the wall and used excessive force.

**Officer**  
840

**Investigator:** IRO

**SOP**

§ 1-04-1F  
§ 2-52-02A

**Finding**

Exonerated  
Exonerated

**IRO Review/Chief's**

IRO and Chief agreed.  
IRO and Chief agreed.

**Area Command**  
Valley

**Council District**  
2

**Neighborhood Association**  
Near N Valley

**293-05** Citizen stated that officers cited them for sitting in a alley that the officers made them sit in. He stated that on the ticket he wrote he protested the ticket and signed it. The officer told him he would write another ticket and if the citizen wrote that shit on it again he would kick his ass. The officer also told the citizens to sit down or they would be slammed the fuck down.

**Officer**  
307

**Investigator:** IA

**SOP**

§ 1-04-4P

**Finding**

Not Sustained

**IRO Review/Chief's**

IRO and Chief agreed.

681

**SOP**

§ 1-04-4P

**Finding**

Not Sustained

**IRO Review/Chief's**

IRO and Chief agreed.

835

**SOP**

§ 1-04-1G 1  
§ 1-04-4P  
§ 2-18-15C 1

**Finding**

Not Sustained  
Not Sustained  
Sustained

**IRO Review/Chief's**

IRO and Chief agreed.  
IRO and Chief agreed.  
IRO and Chief agreed.

847

**SOP**

§ 1-04-4P

**Finding**

Not Sustained

**IRO Review/Chief's**

IRO and Chief agreed.

**Area Command**  
Southeast

**Council District**  
6

**Neighborhood Association**  
Fair West

**300-05** Citizen stated he was pulled over by an officer and scared because the officer used the F word angrily. The parents of the citizen were also upset because a dispatcher called them to pick there son up but would not tell them if he was ok or not.

**Officer**  
730

**Investigator:** IRO

**SOP**  
§ 1-04-4P

**Finding**  
Sustained

**IRO Review/Chief's**  
IRO and Chief agreed.

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**308-05** Citizen stated his relative had a gun and was shooting at the park and he was trying to get the gun away. The officers put a gun to the citizen and battered him.

**Officer**  
Unidentified

**Investigator:** IRO

**SOP**  
Inactivated

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO inactivated due to 90-day

limitation.

**Area Command**  
Westside

**Council District**  
1

**Neighborhood Association**  
Westgate Hts.

**310-05** Citizen stated that the officer would talk to her husband but kept telling her to shut up. She stated the officer threatened her with arrest.

**Officer**  
050

**Investigator:** IA

**SOP**  
§ 1-04-4N  
§ 1-04-4P

**Finding**  
Exonerated  
Exonerated

**IRO Review/Chief's**  
IRO and Chief agreed.  
IRO and Chief agreed.

851

**SOP**  
§ 1-04-4N  
§ 1-04-4P

**Finding**  
Exonerated  
Exonerated

**IRO Review/Chief's**  
IRO and Chief agreed.  
IRO and Chief agreed.

**Area Command**  
Northeast

**Council District**  
7

**Neighborhood Association**  
No neighborhood association

**314-05** Citizen stated that the officer asked if the citizen wanted to pay or go to court on the citation. The citizen wanted to pay and signed the citation. The citizen felt the officer did not explain the option correctly.

**Officer**  
Unidentified

**Investigator:** IA

**SOP**  
Inactivated

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO and Chief agreed. Citizen did not cooperate and return investigators

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**315-05** Citizen stated that officers treated her badly and violated her civil rights during a DV call. The officers took her to the UNM for a mental health evaluation.

**Officer**  
Unidentified

**Investigator:** IA

**SOP**  
Resolved in Mediation

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO and Chief agreed. Complaint inactivated citizen happy with outcome of mediation.

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**316-05** Citizen stated that the officer did not do a proper inventory on the vehicle before it was towed. Items with sensitive information were missing.

**Officer**  
151

**Investigator:** IRO

**SOP**  
§ 1-04-1G  
§ 1-04-4O

**Finding**  
Sustained  
Not Sustained

**IRO Review/Chief's**  
IRO and Chief agreed.  
IRO and Chief agreed.

850

**SOP**  
§ 2-48-3C

**Finding**  
Sustained

**IRO Review/Chief's**  
IRO and Chief agreed.

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**321-05** Citizen stated that officers entered his property without permission.

**Officer**  
235

**Investigator:** IRO

**SOP**  
§ 1-04-1F

**Finding**  
Exonerated

**IRO Review/Chief's**  
IRO and Chief agreed.

**Area Command**  
Foothills

**Council District**  
9

**Neighborhood Association**  
No neighborhood association

**323-05** Citizen stated that he was cited and that he did deserve them but the officers treated him rudely and should not have.

**Officer**  
Unidentified

**Investigator:** IRO

**SOP**  
Resolved in  
Mediation

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO inactivated. Citizen happy with  
outcome of mediation.

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**325-05** Citizen stated that officers were looking for someone that was writing bad checks and he fit the description so the police pulled him over.

**Officer**  
Unidentified

**Investigator:** IRO

**SOP**  
Resolved in  
Mediation

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO inactivated. Citizen happy with  
mediation outcome.

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**326-05** Citizen stated that officers told an underage smoker to shut off the cigarette. They then told the citizen to shut his off but since he was 18 they let him smoke. The female officer lectured the citizen on smoking. The citizen then told the officer she should not eat pizza because of the carbohydrates. The officers then ticketed the citizen for no insurance and told him they could have his car towed for being a smart alec. He was told that they could inconvenience him and they did. The citation was never turned in to the courts.

**Officer**  
848

**Investigator:** IRO

**SOP**  
§ 1-03-2B 2  
§ 1-04-4N

**Finding**  
Sustained  
Sustained

**IRO Review/Chief's**  
IRO and Chief agreed.  
IRO and Chief agreed.

**Area Command**  
Northeast

**Council District**  
4

**Neighborhood Association**  
Countrywood Area

**330-05** Citizen stated that the officer used her emergency lights to get through traffic and then turned them off.

**Officer**  
Unidentified  
(as of compilation of this report)

**Investigator:** IRO

**SOP**  
Pending

**Finding**  
Pending

**IRO Review/Chief's**  
Pending

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**332-05** Citizen stated that officers lied on their report and that he did not use drugs. The officers also searched his vehicle without his permission. Officers had a search warrant. The officers did not arrest him but put in the reports that they found drugs and a weapon.

**Officer**  
357

**Investigator:** IRO

**SOP**  
§ 1-03-2B 2  
§ 2-24-3F

**Finding**  
Exonerated  
Exonerated

**IRO Review/Chief's**  
IRO and Chief agreed.  
IRO and Chief agreed.

**Area Command**  
Southeast

**Council District**  
6

**Neighborhood Association**  
South Los Altos

**334-05** Citizen stated that the officers lied on a police report that resulted in two counts for child abandonment. She stated that a Sergeant that was not involved in the case insisted on the charges to be filed.

**Officer**  
Unidentified

**Investigator:** IA

**SOP**  
Inactivated

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO and Chief agreed. Citizen did not sign complaint and did not cooperate with investigator.

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**335-05** Citizen stated that when he was pulled over one of the officers used vulgar language by telling him why he was not paying attention to his driving and asked if he was scratching his balls or what.

**Officer**  
Unidentified

**Investigator:** IRO

**SOP**  
Inactivated

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO inactivated due to officer providing citizen with a written apology and the citizen was satisfied with the response.

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**337-05** Citizen stated two officer were parked at the mall and observed him writing their license plates down. He wants to prevent the same type of incident that occurred in 1940 when local police were getting the jews and sending them with the SS.

**Officer**  
Unidentified

**Investigator:** IA

**SOP**  
Inactivated

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO and Chief agreed. APD  
dispatched out by mall security to the  
mall.

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**340-05** Citizen stated that officer kept his personal belongings for safe keeping and has not been able to get them back.

**Officer**  
Unidentified

**Investigator:** IRO

**SOP**  
Resolved in  
Mediation

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO and Chief agreed. Citizen happy  
with outcome of mediation.

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**342-05** Citizen stated that when his DV order expired evidence would give him his guns back. The guns were destroyed the day he went for them. He would like his guns replaced or paid

**Officer**  
Evidence Unit

**Investigator:** IRO

**SOP**  
Inactivated

**Finding**  
Inactivated

**IRO Review/Chief's**  
IRO inactivated due to evidence unit  
properly following their procedures and  
notified complainant before destroying  
his shotguns.

**Area Command**  
Unknown/NA

**Council District**  
N/A

**Neighborhood Association**  
Unknown/NA

**348-05** Citizen stated that another driver wrecked into her family another driver and into a familys yard and onto another street. She stated that the paramedics stated that the other driver smelled like she had been drinking but the officer did not test the driver he just put that she had nothing to drink from her word. The citizen would like something more done by the officers when something like that happens.

**Officer**  
610

**Investigator:** IRO

**SOP**  
§ 2-18-8B

**Finding**  
Exonerated

**IRO Review/Chief's**  
IRO and Chief agreed.

**Area Command**  
Southeast

**Council District**  
3

**Neighborhood Association**  
University Hts.

**350-05** Citizen stated that she has had problems with her vehicles being vandalized. She stated that she called the police but they do nothing about it.

**Officer**

Not an officer

**Investigator:**

**IRO**

**SOP**

Inactivated

**Finding**

Inactivated

**IRO Review/Chief's**

IRO inactivated due to citizen not signing complaint or cooperating to get the complaint signed. Complaint must be signed per APOA contract.

**Area Command**

Unknown/NA

**Council District**

N/A

**Neighborhood Association**

Unknown/NA

**351-05** Citizen stated that she has been waiting for an officer to do his report for seven months and he keeps telling her he is working on it. The report would be for stolen items from her

**Officer**

Unidentified

**Investigator:**

**IRO**

**SOP**

Inactivated

**Finding**

Inactivated

**IRO Review/Chief's**

IRO inactivated due to 90-day

limitation.

**Area Command**

Unknown/NA

**Council District**

N/A

**Neighborhood Association**

Unknown/NA

## Part IV- Officer Information for Citizen Complaints

### First Quarterly Report- 2006

*As citizen complaints are received and completed investigations are reviewed, the IRO assigns a numeric code to each officer who was involved in the complaint. The number has no significance. This part of the Report is organized by that officer code number. The officer is identified by sex and rank. Information on the ethnicity of the officer was unavailable. Each Citizen Police Complaint (CPC) involving that officer has been listed as well as the implicated SOP violation, investigative Finding, review by IRO and final decision by Chief.*

*As indicated earlier, "pending" under SOP and Finding indicates that the investigation has not been completed. Therefore, not all officers involved in all CPC's received have been identified to the IRO. A numeric code will be assigned when the investigation is completed and given to the IRO for review.*

*Officers involved in Internal Investigations are listed in Part VII.*

*Please note that pursuant to § 9-4-1-5(F) of the Ordinance, the Chief of Police has final disciplinary authority. Discipline imposed on an officer, can be appealed through the City personnel process, and is considered a personnel action.*

<b>Officer</b>	<b>CPC</b>	<b>SOP</b>	<b>Finding</b>	<b>IRO Review/ Chief's Decision</b>
<b>Not an officer</b>	<b>025</b>	Inactivated	Inactivated	IRO inactivated due to no alleged unprofessional behavior on part of any officer.
	<b>026</b>	Inactivated	Inactivated	IRO inactivated due to citizen not signing complaint. Also, citizen did not allege any unprofessional behavior on part of the officer.
	<b>036</b>	Inactivated	Inactivated	IRO inactivated due to no misconduct alleged.
	<b>041</b>	Pending	Pending	Pending
	<b>051</b>	Inactivated	Inactivated	IRO inactivated due to citizen not being in the stated when the alleged incident occurred. IRO spoke with citizens family whom stated that the citizen had never visited NM.
	<b>065</b>	Inactivated	Inactivated	IRO inactivated due to 90-day limitation.



Officer	CPC	SOP	Finding	IRO Review/ Chief's Decision
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Unidentified  
(as of compilation of this

005	Pending	Pending	Pending
006	Pending	Pending	Pending
016	Pending	Pending	Pending
019	Pending	Pending	Pending
021	Pending	Pending	Pending
027	Pending	Pending	Pending
028	Pending	Pending	Pending
029	Pending	Pending	Pending
031	Pending	Pending	Pending
032	Pending	Pending	Pending
033	Pending	Pending	Pending
037	Pending	Pending	Pending
038	Pending	Pending	Pending
039	Pending	Pending	Pending
042	Pending	Pending	Pending
043	Pending	Pending	Pending
045	Pending	Pending	Pending
046	Pending	Pending	Pending
047	Pending	Pending	Pending
048	Pending	Pending	Pending
052	Pending	Pending	Pending
054	Pending	Pending	Pending

<b>Officer</b>	<b>CPC</b>	<b>SOP</b>	<b>Finding</b>	<b>IRO Review/ Chief's Decision</b>
<b>056</b>		Pending	Pending	Pending
<b>057</b>		Pending	Pending	Pending
<b>058</b>		Pending	Pending	Pending
<b>060</b>		Pending	Pending	Pending
<b>061</b>		Pending	Pending	Pending
<b>062</b>		Pending	Pending	Pending
<b>066</b>		Pending	Pending	Pending
<b>067</b>		Pending	Pending	Pending
<b>069</b>		Pending	Pending	Pending
<b>070</b>		Pending	Pending	Pending
<b>071</b>		Pending	Pending	Pending
<b>072</b>		Pending	Pending	Pending

Officer	CPC	SOP	Finding	IRO Review/ Chief's Decision
Unidentified  did	004	Inactivated	Inactivated	IRO inactivated case needs to be resolved in civil court. Complaint not allege any unprofessional behavior on the part of the officer.
	008	Resolved in Mediation	Inactivated	IRO inactivated. Citizen happy with outcome of mediation.
	009	Inactivated	Inactivated	IRO inactivated due to 90-day limitation.
	010	Inactivated	Inactivated	IRO inactivated per citizens request.
	014	Resolved in Mediation	Inactivated	IRO and Chief agreed. Citizen happy with outcome of mediation.
	015	Inactivated	Inactivated	IRO inactivated due to 90-day limitation.
	017	Inactivated	Inactivated	IRO inactivated due to 90-day limitation.
	018	Inactivated	Inactivated	IRO and Chief agreed. Citizen did not allege any unprofessional
	020	Inactivated	Inactivated	IRO inactivated due to 90-day limitation.
	023	Inactivated	Inactivated	IRO and Chief agreed. Complaint does not allege any unprofessional behavior on the part of the officer.
	024	Inactivated	Inactivated	IRO inactivated due to no alleged unprofessional behavior on part of the officer.
	034	Inactivated	Inactivated	IRO inactivated because the issue needs to be settled in court by a
	035	Inactivated	Inactivated	IRO inactivated due to no unprofessional behavior accused on the officers. Also, a criminal court has authority to decide the issue.
	040	Inactivated	Inactivated	IRO inactivated due no complaint alleging any unprofessional behavior on the part of the officers.
	049	Inactivated	Inactivated	IRO inactivated due to a judge
				able to decide the issue.
being				

Officer	CPC	SOP	Finding	IRO Review/ Chief's Decision
	<b>050</b>	Inactivated	Inactivated	IRO inactivated due to citizen not signing complaint. Complaint needs to be signed per APOA
	<b>053</b>	Inactivated	Inactivated	IRO inactivated due to citizen not signing complaint. Complaint needs to be signed per APOA
	<b>055</b>	Inactivated	Inactivated	IRO and Chief agreed. Officer already disciplined regarding this
	<b>059</b>	Inactivated	Inactivated	IRO inactivated due to no vehicle with information provided by citizen
	<b>063</b>	Inactivated	Inactivated	IRO inactivated due to 90-day limitation.
	<b>068</b>	Inactivated	Inactivated	IRO inactivated. Issues in complaint need to be decided by a judge for the criminal case.
<b>040</b>	Male Officer <b>002</b>	§ 2-52-06D 2	Sustained	IRO and Chief agreed.
<b>115</b>	Male Officer <b>013</b>	§ 2-52-02A	Pending	Pending
<b>197</b>	Male Officer <b>007</b>	§ 1-04-1F	Sustained	IRO and Chief agreed.
<b>254</b>	Male Officer <b>011</b>	§ 1-04-4N § 1-04-4P § 2-52-02A	Unfounded Unfounded Unfounded	IRO and Chief agreed. IRO and Chief agreed. IRO and Chief agreed.
<b>492</b>	Male Officer <b>030</b>	§ 1-04-1F § 2-52-02A	Pending Pending	Pending Pending

<b>Officer</b>	<b>CPC</b>	<b>SOP</b>	<b>Finding</b>	<b>IRO Review/ Chief's Decision</b>
<b>532</b>	Male Officer <b>002</b>	§ 1-04-4N § 1-04-4P	Unfounded Unfounded	IRO and Chief agreed. IRO and Chief agreed.
<b>611</b>	Male Sergeant <b>012</b>	§ 1-04-1G § 1-04-4N § 1-04-4P § 2-52-02A	Pending Pending Pending Pending	Pending Pending Pending Pending
<b>667</b>	Male Officer <b>022</b>	§ 1-04-4P	Sustained	IRO and Chief agreed.
<b>741</b>	Male Officer <b>002</b>	§ 2-52-02A	Exonerated	IRO and Chief agreed.
<b>855</b>	Female Officer <b>003</b>	§ 2-26-2B	Exonerated	IRO and Chief agreed.
<b>856</b>	Male Officer <b>003</b>	§ 2-48-3B 2	Exonerated	IRO and Chief agreed.
<b>861</b>	Male PSA <b>001</b>	§ 2-48-2 B § 2-48-7 B § 2-48-7 D1	Pending Pending Pending	Pending Pending Pending
<b>Civilian Employee</b> <b>044</b>		Inactivated	Inactivated	IRO inactivated. Citizen did not return complaint signed.

Officer	CPC	SOP	Finding	IRO Review/ Chief's Decision
BCSO	064	Inactivated	Inactivated	IRO inactivated due to officer being BCSO and not APD. No jurisdiction.

## **Part V - Standard Operating Procedure Violations**

### **First Quarterly Report- 2006**

*The following is summarized from the Standard Operating Procedures Manual of the Albuquerque Police Department:*

*The Albuquerque Police Department provides for police protection, law enforcement, investigation, crime prevention, and maintenance of order in the community. In order to carry out their duties and responsibilities, the police are empowered with legal authority. To achieve success, the Department must win and retain the confidence and respect of the citizens it serves. Police officers do not act for themselves, but for the public. To that end, it is necessary to create and maintain a system through which the Department can be effectively directed and controlled. Written directives have been incorporated into Standard Operating Procedures (SOPs) to guide and direct department personnel in the performance of their duties. Violations of these provisions may result in disciplinary charges against personnel.*

*Standard Operating Procedures are defined as written orders by the Chief of Police or a bureau, division, or section commander to define policy and direct procedures for specific situations or events.*

*The Citizen Police Complaints (CPC) received have implicated the following alleged violations of Standard Operating Procedures. Listed under each implicated SOP are the CPCs in which the implicated SOP arose. The involved officers are described by numeric code. Finally, the Finding at the conclusion of the investigation, as well as the IRO Review and Chief's decision are indicated.*

*Please note that the words "IRO Would Add" indicate a recommendation by the IRO during the review process to consider violation of the specified SOP.*

*Also, please note that the language of some SOP sections is duplicative of language in other sections because recompilation changed the section numbers.*

#### **SOP**

##### **§ 1-04-1F**

Personnel shall conduct themselves both on and off-duty in such a manner as to reflect most favorably on the department.

##### **CPC 007**

**Officer**  
197

**Finding**  
Sustained

**IRO Review/Chief's Decision**  
IRO and Chief agreed.

##### **CPC 030**

**Officer**  
492

**Finding**  
Pending

**IRO Review/Chief's Decision**  
Pending

## SOP

### § 1-04-1G

Conduct unbecoming an officer or employee shall include:  
1. That which could bring the department into disrepute; or  
2. That which impairs the operation or efficiency of the department.

#### CPC 012

**Officer**  
611

**Finding**  
Pending

**IRO Review/Chief's Decision**  
Pending

### § 1-04-4N

Personnel will not act officiously or permit personal feelings, prejudices (race, religion, politics, national origin, life style or similar characteristics), animosities, or friendship to influence their decisions.

#### CPC 002

**Officer**  
532

**Finding**  
Unfounded

**IRO Review/Chief's Decision**  
IRO and Chief agreed.

#### CPC 011

**Officer**  
254

**Finding**  
Unfounded

**IRO Review/Chief's Decision**  
IRO and Chief agreed.

#### CPC 012

**Officer**  
611

**Finding**  
Pending

**IRO Review/Chief's Decision**  
Pending



## SOP

### § 1-04-4P

Personnel shall not use coarse, violent, profane, or insolent language or gestures.

#### CPC 002

**Officer**  
532

**Finding**  
Unfounded

**IRO Review/Chief's Decision**  
IRO and Chief agreed.

#### CPC 011

**Officer**  
254

**Finding**  
Unfounded

**IRO Review/Chief's Decision**  
IRO and Chief agreed.

#### CPC 012

**Officer**  
611

**Finding**  
Pending

**IRO Review/Chief's Decision**  
Pending

#### CPC 022

**Officer**  
667

**Finding**  
Sustained

**IRO Review/Chief's Decision**  
IRO and Chief agreed.

### § 2-26-2B

UNLAWFUL TAKING OF MOTOR VEHICLES (AUTO THEFT)

B. For N.C.I.C. entry, all auto thefts will be called in to the Report Review Unit as soon as the license and vehicle identification numbers have been verified. Officers will note in their report the time Report Review was contacted for N.C.I.C. entry and the identity of the clerk to whom the auto theft information was given.

#### CPC 003

**Officer**  
855

**Finding**  
Exonerated

**IRO Review/Chief's Decision**  
IRO and Chief agreed.

## SOP

### § 2-48-2 B

#### VEHICLES WILL BE TOWED WHEN

B. The vehicle has been abandoned, vandalized, involved in an accident to the extent that it is inoperable, and/or is in violation of Section 8-5 or 7-5-3 of the City of Albuquerque Traffic Code and documented attempts to contact the owner have failed.

CPC 001

**Officer**  
861

**Finding**  
Pending

**IRO Review/Chief's Decision**  
Pending

### § 2-48-3B 2

#### WHEN IT BECOMES NECESSARY TO TOW VEHICLES

B. Officers authorizing the towing of a vehicle will document the justification for the towing of the vehicle.

2. In all cases when officers tow a vehicle and utilize the Towed Vehicle Notification (PD-3061), the form must be forwarded to Records by the end of the shift.

Supervisors will ensure that all paperwork is completed and included in the next mail run.

CPC 003

**Officer**  
856

**Finding**  
Exonerated

**IRO Review/Chief's Decision**  
IRO and Chief agreed.

### § 2-48-7 B

#### ABANDONED VEHICLES ON PUBLIC/CITY PROPERTY

B. The officer/P.S.A. will make a stolen vehicle inquiry and attempt to contact the owner.

CPC 001

**Officer**  
861

**Finding**  
Pending

**IRO Review/Chief's Decision**  
Pending

## SOP

### § 2-48-7 D1

#### ABANDONED VEHICLES ON PUBLIC/CITY PROPERTY

D. If the owner cannot be contacted or refuses to move the vehicle, officers will fill out an Abandoned Vehicle Notification Form (PD-3060) and place an abandoned vehicle sticker on the vehicle.

1. Abandoned Vehicle Notification forms will be forwarded to Records and then mailed to registered owners.

#### CPC 001

**Officer**  
861

**Finding**  
Pending

**IRO Review/Chief's Decision**  
Pending

### § 2-52-02A

Where force is warranted, officers should assess the incident in order to determine which technique or weapon will reasonably de-escalate the incident and bring it under control safely. Officers shall use only that force which is reasonably necessary to effect lawful objectives.

#### CPC 002

**Officer**  
741

**Finding**  
Exonerated

**IRO Review/Chief's Decision**  
IRO and Chief agreed.

#### CPC 011

**Officer**  
254

**Finding**  
Unfounded

**IRO Review/Chief's Decision**  
IRO and Chief agreed.

#### CPC 012

**Officer**  
611

**Finding**  
Pending

**IRO Review/Chief's Decision**  
Pending

#### CPC 013

**Officer**  
115

**Finding**  
Pending

**IRO Review/Chief's Decision**  
Pending

#### CPC 030

**Officer**  
492

**Finding**  
Pending

**IRO Review/Chief's Decision**  
Pending

## SOP

- § 2-52-06D 2** Supervisors will be required to complete the Use of Force Report form for all types of force applied to a given incident including:
- a. Hand-to-hand action resulting in injury,
  - b. Baton strike,
  - c. Canine bite
  - d. Mace
  - f. Less lethal munitions

**CPC 002**

***Officer***  
040

***Finding***  
Sustained

***IRO Review/Chief's Decision***  
IRO and Chief agreed.

## SOP

**Inactivated** Case was inactivated without specifying the SOP violation.

**CPC 004**

**Officer**  
Unidentified

**Finding**  
Inactivated

***IRO Review/Chief's Decision***

IRO inactivated case needs to be resolved in civil court. Complaint did not allege any unprofessional behavior on the part of the officer.

**CPC 009**

**Officer**  
Unidentified

**Finding**  
Inactivated

***IRO Review/Chief's Decision***

IRO inactivated due to 90-day limitation.

**CPC 010**

**Officer**  
Unidentified

**Finding**  
Inactivated

***IRO Review/Chief's Decision***

IRO inactivated per citizens request.

**CPC 015**

**Officer**  
Unidentified

**Finding**  
Inactivated

***IRO Review/Chief's Decision***

IRO inactivated due to 90-day limitation.

**CPC 017**

**Officer**  
Unidentified

**Finding**  
Inactivated

***IRO Review/Chief's Decision***

IRO inactivated due to 90-day limitation.

**CPC 018**

**Officer**  
Unidentified

**Finding**  
Inactivated

***IRO Review/Chief's Decision***

IRO and Chief agreed. Citizen did not allege any unprofessional behavior.

**CPC 020**

**Officer**  
Unidentified

**Finding**  
Inactivated

***IRO Review/Chief's Decision***

IRO inactivated due to 90-day limitation.

**CPC 023**

**Officer**  
Unidentified

**Finding**  
Inactivated

***IRO Review/Chief's Decision***

IRO and Chief agreed. Complaint does not allege any unprofessional behavior on the part of the officer.

## SOP

<b>CPC 024</b>	<b>Officer</b> Unidentified	<b>Finding</b> Inactivated	<b><i>IRO Review/Chief's Decision</i></b> IRO inactivated due to no alleged unprofessional behavior on part of the officer.
<b>CPC 025</b>	<b>Officer</b> Not an officer	<b>Finding</b> Inactivated	<b><i>IRO Review/Chief's Decision</i></b> IRO inactivated due to no alleged unprofessional behavior on part of any officer.
<b>CPC 026</b>	<b>Officer</b> Not an officer	<b>Finding</b> Inactivated	<b><i>IRO Review/Chief's Decision</i></b> IRO inactivated due to citizen not signing complaint. Also, citizen did not allege any unprofessional behavior on part of the officer.
<b>CPC 034</b>	<b>Officer</b> Unidentified	<b>Finding</b> Inactivated	<b><i>IRO Review/Chief's Decision</i></b> IRO inactivated because the issue needs to be settled in court by a judge.
<b>CPC 035</b>	<b>Officer</b> Unidentified	<b>Finding</b> Inactivated	<b><i>IRO Review/Chief's Decision</i></b> IRO inactivated due to no unprofessional behavior accused on the officers. Also, a criminal court has authority to decide the issue.
<b>CPC 036</b>	<b>Officer</b> Not an officer	<b>Finding</b> Inactivated	<b><i>IRO Review/Chief's Decision</i></b> IRO inactivated due to no misconduct alleged.
<b>CPC 040</b>	<b>Officer</b> Unidentified	<b>Finding</b> Inactivated	<b><i>IRO Review/Chief's Decision</i></b> IRO inactivated due no complaint alleging any unprofessional behavior on the part of the officers.

## SOP

<b>CPC 044</b>	<b>Officer</b> Civilian Employee	<b>Finding</b> Inactivated	<b>IRO Review/Chief's Decision</b> IRO inactivated. Citizen did not return complaint
<b>CPC 049</b>	<b>Officer</b> Unidentified	<b>Finding</b> Inactivated	<b>IRO Review/Chief's Decision</b> IRO inactivated due to a judge being able to decide the issue.
<b>CPC 050</b>	<b>Officer</b> Unidentified	<b>Finding</b> Inactivated	<b>IRO Review/Chief's Decision</b> IRO inactivated due to citizen not signing complaint. Complaint needs to be signed per APOA contract.
<b>CPC 051</b>	<b>Officer</b> Not an officer	<b>Finding</b> Inactivated	<b>IRO Review/Chief's Decision</b> IRO inactivated due to citizen not being in the stated when the alleged incident occurred. IRO spoke with citizens family whom stated that the citizen had never visited NM.
<b>CPC 053</b>	<b>Officer</b> Unidentified	<b>Finding</b> Inactivated	<b>IRO Review/Chief's Decision</b> IRO inactivated due to citizen not signing complaint. Complaint needs to be signed per APOA contract.
<b>CPC 055</b>	<b>Officer</b> Unidentified	<b>Finding</b> Inactivated	<b>IRO Review/Chief's Decision</b> IRO and Chief agreed. Officer already disciplined regarding this issue.
<b>CPC 059</b>	<b>Officer</b> Unidentified	<b>Finding</b> Inactivated	<b>IRO Review/Chief's Decision</b> IRO inactivated due to no vehicle with information provided by citizen exists.

## SOP

### CPC 063

**Officer**  
Unidentified

**Finding**  
Inactivated

***IRO Review/Chief's Decision***  
IRO inactivated due to 90-day limitation.

### CPC 064

**Officer**  
BCSO

**Finding**  
Inactivated

***IRO Review/Chief's Decision***  
IRO inactivated due to officer being BCSO and not APD. No jurisdiction.

### CPC 065

**Officer**  
Not an officer

**Finding**  
Inactivated

***IRO Review/Chief's Decision***  
IRO inactivated due to 90-day limitation.

### CPC 068

**Officer**  
Unidentified

**Finding**  
Inactivated

***IRO Review/Chief's Decision***  
IRO inactivated. Issues in complaint need to be decided by a judge for the criminal case.



## SOP

### Pending

Case was pending completion of investigation;  
As such no SOPs had been implicated.

#### CPC 005

**Officer**

Unidentified  
(as of  
compilation of  
this report)

**Finding**

Pending

***IRO Review/Chief's Decision***

Pending

#### CPC 006

**Officer**

Unidentified  
(as of  
compilation of  
this report)

**Finding**

Pending

***IRO Review/Chief's Decision***

Pending

#### CPC 016

**Officer**

Unidentified  
(as of  
compilation of  
this report)

**Finding**

Pending

***IRO Review/Chief's Decision***

Pending

#### CPC 019

**Officer**

Unidentified  
(as of  
compilation of  
this report)

**Finding**

Pending

***IRO Review/Chief's Decision***

Pending

#### CPC 021

**Officer**

Unidentified  
(as of  
compilation of  
this report)

**Finding**

Pending

***IRO Review/Chief's Decision***

Pending

#### CPC 027

**Officer**

Unidentified  
(as of  
compilation of  
this report)

**Finding**

Pending

***IRO Review/Chief's Decision***

Pending

## SOP

### CPC 028

**Officer**  
Unidentified  
(as of  
compilation of  
this report)

**Finding**  
Pending

***IRO Review/Chief's Decision***  
Pending

### CPC 029

**Officer**  
Unidentified  
(as of  
compilation of  
this report)

**Finding**  
Pending

***IRO Review/Chief's Decision***  
Pending

### CPC 031

**Officer**  
Unidentified  
(as of  
compilation of  
this report)

**Finding**  
Pending

***IRO Review/Chief's Decision***  
Pending

### CPC 032

**Officer**  
Unidentified  
(as of  
compilation of  
this report)

**Finding**  
Pending

***IRO Review/Chief's Decision***  
Pending

### CPC 033

**Officer**  
Unidentified  
(as of  
compilation of  
this report)

**Finding**  
Pending

***IRO Review/Chief's Decision***  
Pending

### CPC 037

**Officer**  
Unidentified  
(as of  
compilation of  
this report)

**Finding**  
Pending

***IRO Review/Chief's Decision***  
Pending

## SOP

<b>CPC 038</b>	<b>Officer</b> Unidentified (as of compilation of this report)	<b>Finding</b> Pending	<b>IRO Review/Chief's Decision</b> Pending
<b>CPC 039</b>	<b>Officer</b> Unidentified (as of compilation of this report)	<b>Finding</b> Pending	<b>IRO Review/Chief's Decision</b> Pending
<b>CPC 041</b>	<b>Officer</b> Not an officer	<b>Finding</b> Pending	<b>IRO Review/Chief's Decision</b> Pending
<b>CPC 042</b>	<b>Officer</b> Unidentified (as of compilation of this report)	<b>Finding</b> Pending	<b>IRO Review/Chief's Decision</b> Pending
<b>CPC 043</b>	<b>Officer</b> Unidentified (as of compilation of this report)	<b>Finding</b> Pending	<b>IRO Review/Chief's Decision</b> Pending
<b>CPC 045</b>	<b>Officer</b> Unidentified (as of compilation of this report)	<b>Finding</b> Pending	<b>IRO Review/Chief's Decision</b> Pending

## SOP

### CPC 046

**Officer**  
Unidentified  
(as of  
compilation of  
this report)

**Finding**  
Pending

***IRO Review/Chief's Decision***  
Pending

### CPC 047

**Officer**  
Unidentified  
(as of  
compilation of  
this report)

**Finding**  
Pending

***IRO Review/Chief's Decision***  
Pending

### CPC 048

**Officer**  
Unidentified  
(as of  
compilation of  
this report)

**Finding**  
Pending

***IRO Review/Chief's Decision***  
Pending

### CPC 052

**Officer**  
Unidentified  
(as of  
compilation of  
this report)

**Finding**  
Pending

***IRO Review/Chief's Decision***  
Pending

### CPC 054

**Officer**  
Unidentified  
(as of  
compilation of  
this report)

**Finding**  
Pending

***IRO Review/Chief's Decision***  
Pending

### CPC 056

**Officer**  
Unidentified  
(as of  
compilation of  
this report)

**Finding**  
Pending

***IRO Review/Chief's Decision***  
Pending

## SOP

### CPC 057

**Officer**  
Unidentified  
(as of  
compilation of  
this report)

**Finding**  
Pending

***IRO Review/Chief's Decision***  
Pending

### CPC 058

**Officer**  
Unidentified  
(as of  
compilation of  
this report)

**Finding**  
Pending

***IRO Review/Chief's Decision***  
Pending

### CPC 060

**Officer**  
Unidentified  
(as of  
compilation of  
this report)

**Finding**  
Pending

***IRO Review/Chief's Decision***  
Pending

### CPC 061

**Officer**  
Unidentified  
(as of  
compilation of  
this report)

**Finding**  
Pending

***IRO Review/Chief's Decision***  
Pending

### CPC 062

**Officer**  
Unidentified  
(as of  
compilation of  
this report)

**Finding**  
Pending

***IRO Review/Chief's Decision***  
Pending

### CPC 066

**Officer**  
Unidentified  
(as of  
compilation of  
this report)

**Finding**  
Pending

***IRO Review/Chief's Decision***  
Pending

## SOP

### CPC 067

**Officer**  
Unidentified  
(as of  
compilation of  
this report)

**Finding**  
Pending

***IRO Review/Chief's Decision***  
Pending

### CPC 069

**Officer**  
Unidentified  
(as of  
compilation of  
this report)

**Finding**  
Pending

***IRO Review/Chief's Decision***  
Pending

### CPC 070

**Officer**  
Unidentified  
(as of  
compilation of  
this report)

**Finding**  
Pending

***IRO Review/Chief's Decision***  
Pending

### CPC 071

**Officer**  
Unidentified  
(as of  
compilation of  
this report)

**Finding**  
Pending

***IRO Review/Chief's Decision***  
Pending

### CPC 072

**Officer**  
Unidentified  
(as of  
compilation of  
this report)

**Finding**  
Pending

***IRO Review/Chief's Decision***  
Pending

## SOP

### Resolved in Mediation

The case was resolved through mediation between the citizen(s) and the officer(s)

**CPC 008**

**Officer**  
Unidentified

**Finding**  
Inactivated

**IRO Review/Chief's Decision**  
IRO inactivated. Citizen happy with outcome of mediation.

**CPC 014**

**Officer**  
Unidentified

**Finding**  
Inactivated

**IRO Review/Chief's Decision**  
IRO and Chief agreed. Citizen happy with outcome of mediation.

**Part VI- Summary of Internal  
First Quarterly Report- 2006**

*Pursuant to § 9-4-1-5(B) of the Ordinance, the POC shall have the power and duty to audit and monitor police shootings under investigation by the APD Internal Affairs Unit. Pursuant to § 9-4-1-6(C) the IRO will make findings related to police shootings to be forwarded to the POC. The following is a summary of officer involved shootings which were investigated by the Internal Affairs Unit and forwarded to the IRO for review. In addition, some internal investigations on excessive force were forwarded to the IRO for review. Again, please note officers are referred to by the numeric code assigned by the IRO. The numbers have no significance.*

**Section A:**

**Internal Investigations opened this Year; Reviewed this Year**



## Section B:

### Internal Investigations opened in prior Year(s); Reviewed this Year

#### I Summary of Case

**247-05** The officer was on patrol when a car turned in front of him. He ran the plate, which came back as not being on file. He ran it a second time with the same results. He stopped the car, which pulled into a driveway. He approached the car and a passenger exited. The driver then turned around and fired one shot at the officer. The officer drew his gun, returned fire and killed the driver.

**Officer**

130

**SOP**

§ 2-52-03B 1

**IA Finding**

Exonerated

**IRO Review/Chief's**

IRO and Chief agreed.

**248-05** The officer was working Chief's Overtime as security. At about 0130, he heard tires screeching and saw a car speeding through the residential area. He had been talking to some kids and told them he was going to check the car out. He found the car stopped and parked behind it. He typed into his KDT to a specific officer for backup, but not any hurry. That officer responded that he was en route. The officer talks to the driver who appears intoxicated. The officer does the eye test and the driver fails. The officer asks for the driver's license and the driver does not have one. The officer returns to his car and types into his KDT to the same officer for backup, please. The officer did not call communications or ask for assistance from any available officer. The officer returns to the driver and has him exit the car. The driver is six feet tall and 260 pounds. The officer is 5' 7" and 178 pounds. The officer has the driver perform some field sobriety test which he fails. The driver is acting antsy, flexing his hands and looking around. The driver finally says he is not doing anymore tests because he is just going to fail them. The officer pats the driver down. The driver says he can't get into any more trouble. He just came back from Mexico and is trying to get his life straight. The officer has him turn around and interlace his fingers behind his head. The officer grabs them and starts to handcuff the driver. The driver tries to pull away and the officer hangs onto his hands. The driver bends at the waist and the officer is lifted up and loses his balance. The officer lets go and pushes the driver away. The driver swings at the officer and cuts his lip. The driver assumes a fighting stance and the officer draws his baton. The driver charged at the officer and ran past him. The officer calls out a foot chase at 0137 and officers are dispatched to the scene. The driver jumps a wall and the officer jumps over the wall and lands on top of the driver. The driver pushes off the ground with the officer on his back. The officer and driver are involved in a fight and the numerous punches are thrown. The driver grabs the officer's gun and starts to pull it out. The officer grabs the driver's hand with both his hands and pushes the gun back in the holster. The driver hits the officer with his free hand. The driver is overpowering the officer. The driver pulls the gun out of the officer's holster and it is pointing at the officer's face. The officer pushes it down to his chest. The officer feels like he is losing the gun, but turns it to the driver and pulls the trigger. The driver is shot three times and is killed.

**Officer**

726

**SOP**

§ 2-52-03B 1

**IA Finding**

Exonerated

**IRO Review/Chief's**

IRO and Chief agreed.

**249-05** The officer was called as part of a SWAT activation. The suspect had broken into Radio Shack earlier. An alarm had gone off and officers were dispatched at 0009 on September 1, 2004. The suspect ran past an officer who pursued him, but lost sight of him. Additional officers were called to help find the suspect who was later found hiding on top of a residential house's roof. He ran again and entered a business on Menaul. Another officer recognized the suspect. The business was an armored car business and the walls and doors were bullet proof. The suspect proceeded to shoot a shotgun and handgun at police, so SWAT was called at 0327. The suspect fired shots through the roof and out a small opening in the front door. The SWAT officer was assigned as a sniper and took up a prone position across the street to cover two doors on the south side of the business. A SWAT entry team formed and the suspect fired shotgun rounds and handgun rounds at them. Crisis negotiators tried to talk the suspect out without success. CS gas was used also without success. The Bomb Unit sent a robot to breach the front door. The charge left a small hole in the front door and the suspect fired his shotgun out of the hole. The suspect fired shots in the direction of the sniper officer. The offender switched to a handgun and stuck his hand out the hole in the door. The suspect fired at the entry team and the sniper. The sniper had to keep his head exposed to have a shot and was afraid he or the team would be shot. The captain had approved the use of deadly force earlier, so the sniper officer aimed for the hole in the door and waited until the suspect put his hand out and shot the handgun again. At 1252, the suspect put the handgun outside the hole again, the officer fired and hit the suspect in the hand. The suspect pulled his hand inside and fired into the roof several times. Eventually the officer was relieved. The standoff continued for several hours. The suspect fired at least 100 rounds. SWAT used gas, smoke, robots, dogs, an armored vehicle and entry by a SWAT team without success. Crisis negotiators eventually talked the suspect into coming out at 2237. The second officer was one of the officers assigned to arrest the suspect when he came outside. This officer was designated as the less lethal force option and had his taser out. When the officers attempted to handcuff the suspect, the suspect started to struggle. The suspect also refused to raise his shirt to show officers that he had no weapon; therefore the officer tased the suspect, who continued to fight the officers. The suspect was handcuffed and taken to the hospital for his hand.

<b>Officer</b>	<b>SOP</b>	<b>IA Finding</b>	<b>IRO Review/Chief's</b>
Unknown	§ 2-52-02A	Exonerated	IRO and Chief agreed.
021	<b>SOP</b>	<b>IA Finding</b>	<b>IRO Review/Chief's</b>
	§ 2-52-03B 1	Exonerated	IRO and Chief agreed.

**288-05** The officer had received several complaints about a possible meth lab, so he and two other officers went to do a knock and talk. As he approached the front door, the door was slightly ajar and a woman saw them coming and said the cops are here. He talked to the woman and explained why they were there. A large pit bull was behind the woman and barking. The woman was in a wheel chair and told the officer to wait a minute while she moved her dog back. The dog escaped from the woman and charged the officer. It knocked the officer into the wall. It snarled and attacked him again. He thought the dog was going to bite him, so he fired one shot and hit it in the leg.

<b>Officer</b>	<b>SOP</b>	<b>IA Finding</b>	<b>IRO Review/Chief's</b>
804	§ 2-53-3B 1	Exonerated	IRO and Chief agreed.

**295-05** Officers both with APD K-9 Unit, were dispatched to assist the New Mexico State Police with a SWAT call out. While conducting the entry into the residence at least two dogs exited the residence and attacked police officers and K-9s. Officers were forced to shoot the two dogs inorder to evade injuries to officers or K-9s.

Officer	SOP	IA Finding	IRO Review/Chief's
067	§ 2-52-03B 1	Exonerated	IRO and Chief agreed. Justified shooting.
490	SOP § 2-52-03B 1	IA Finding Exonerated	IRO Review/Chief's IRO and Chief agreed. Justified shooting.

**Part VII- Officer Information for Internal  
First Quarterly Report- 2006**

<b>Officer</b>	<b>I #</b>	<b>SOP</b>	<b>IA Finding</b>	<b>IRO Review/ Chief's Decision</b>	
<b>020</b>	<b>249-05</b>	§ 2-52-02A	Exonerated	IRO and Chief agreed.	
<b>021</b>	<b>249-05</b>	§ 2-52-03B 1	Exonerated	IRO and Chief agreed.	
<b>067</b>	Male Officer	<b>295-05</b>	§ 2-52-03B 1	Exonerated	IRO and Chief agreed. Justified shooting.
<b>130</b>	Male Officer	<b>247-05</b>	§ 2-52-03B 1	Exonerated	IRO and Chief agreed.
<b>490</b>	Male Officer	<b>295-05</b>	§ 2-52-03B 1	Exonerated	IRO and Chief agreed. Justified shooting.
<b>726</b>	Male Officer	<b>248-05</b>	§ 2-52-03B 1	Exonerated	IRO and Chief agreed.
<b>804</b>	Male Officer	<b>288-05</b>	§ 2-53-3B 1	Exonerated	IRO and Chief agreed.

## **Part VIII - Police Oversight Commission: Appeal Reviews of Citizen Police**

### **First Quarterly Report- 2006**

*This Part lists the appeals requested to be heard by the Police Oversight Commission (POC). Pursuant to § 9-4-1-9(A) of the Ordinance, citizens who were dissatisfied with the outcome of their complaint as contained in the dispositional letter from the Chief of Police, could appeal to the POC.*

*Each appeal is listed by Citizen Police Complaint (CPC) number. A brief description of the case is given. A timeline is provided of when the dispositional letter by the Chief was issued, the date the citizen requested an appeal, when it was first set, if it was reset and then when the case was heard. The date of the decision of the POC is indicated and when a request was made for the CAO to review the decision of the POC.*

*The officer involved is referred to by the numeric code assigned by the IRO. It should be noted that no officer ever appeared before the POC. The Standard Operating Procedure (SOP) implicated in the complaint is listed, accompanied by the original Internal Affairs (IA) investigative finding and whether or not the IRO concurred with the IA finding. The recommendation of the POC is indicated as well as whether or not the Chief followed the recommendation. Finally, any decision by the CAO is indicated.*

*As with all Parts of the Report, the CPC and Officer numbers can be cross-referenced to other Parts of the Report for further information on a particular case or officer.*

**CPC #****Summary of Complaint****CPC 256-2004**

Citizen stated that he was at a friends apartment when they saw an officer pull over a vehicle. A woman from an apartment then started yelling at the citizen to

leave and tore his shirt. Che police then beat up the citizen and arrested him for disobeying an officer. The citizen did cuss at the officers because he was so mad that he did not know what else to do.

Appeal Timeline

<i>Disposition Letter Response</i>	<i>Request for Appeal</i>	<i>Appeal Set</i>	<i>Appeal Reset/Heard</i>	<i>POC Decision</i>	<i>Request for CAO Review</i>	<i>CAO</i>
2/9/2005	3/23/2005	5/12/2005	5/12/2005	5/12/2005	6/10/2005	1/26/2006

**Officer****141*****SOP****§ 1-04-4P**§ 2-52-02A****Finding***

Unfounded

Unfounded

***IRO review / Chief's decision***

IRO and Chief agreed.

IRO and Chief agreed.

***POC Recommended***

POC upheld IRO findings.  
POC would like a polygraph  
done on the officers and

***Chief's Response to POC***

Chief would offer citizen  
polygraph but the officers can  
not ve ordered to submit to a  
polygraph without violating  
City Ordinances and possibly  
the Collective Bargaining

***CAO Decision***

CAO upheld the POC  
findings. No polygraph.

**Officer****541*****SOP****§ 1-04-4P**§ 2-52-02A****Finding***

Unfounded

Unfounded

***IRO review / Chief's decision***

IRO and Chief agreed.

IRO and Chief agreed.

***POC Recommended******Chief's Response to POC******CAO Decision*****Officer****626*****SOP****§ 2-52-02A****Finding***

Unfounded

***IRO review / Chief's decision***

IRO and Chief agreed.

***POC Recommended******Chief's Response to POC******CAO Decision***

**CPC #****Summary of Complaint****CPC 006-2005**

Citizen stated that he witnessed an officer kick a citizen and did not see the man provoke the officer.

Appeal Timeline

<i>Disposition Letter Response</i>	<i>Request for Appeal</i>	<i>Appeal Set</i>	<i>Appeal Reset/Heard</i>	<i>POC Decision</i>	<i>Request for CAO Review</i>	<i>CAO</i>
5/24/2005	6/22/2005	9/8/2005	9/8/2005	9/8/2005	9/8/2005	Pending

**Officer****813*****SOP***

§ 1-03-2D  
§ 1-05-6I

***Finding***

Sustained  
Sustained

***IRO review / Chief's decision***

IRO and Chief agreed.  
IRO and Chief agreed.

***POC Recommended***

POC sent the case to the CAO for decision. Motion to send due to a conflict of

***Chief's Response to POC******CAO Decision*****CPC 062-2005**

Citizen stated that while officers were arresting him they beat him up and stole his watch.

Appeal Timeline

<i>Disposition Letter Response</i>	<i>Request for Appeal</i>	<i>Appeal Set</i>	<i>Appeal Reset/Heard</i>	<i>POC Decision</i>	<i>Request for CAO Review</i>	<i>CAO</i>
6/7/2005	8/1/2005	2/9/2006	2/9/2006	2/9/2006		

**Officer****762*****SOP***

§ 1-04-4P  
§ 2-52-02A

***Finding***

Sustained  
Unfounded

***IRO review / Chief's decision***

IRO and Chief agreed.  
IRO and Chief agreed.

***POC Recommended***

POC upheld IRO decision.

***Chief's Response to POC******CAO Decision***

## CPC # Summary of Complaint

### CPC 073-2005

Citizen stated that police were on a chase and an SUV turned over and hit her vehicle. The citizen stated that the officers should not have been going that fast

and the child would be alive.

#### Appeal Timeline

<i>Disposition Letter Response</i>	<i>Request for Appeal</i>	<i>Appeal Set</i>	<i>Appeal Reset/Heard</i>	<i>POC Decision</i>	<i>Request for CAO Review</i>	<i>CAO</i>
12/6/2005	12/13/2005	1/12/2006	1/12/2006	1/12/2006		

#### Officer

040

#### **SOP**

§ 2-55-4F 1&2

#### **Finding**

Exonerated

#### **IRO review / Chief's decision**

IRO and Chief agreed.

#### **POC Recommended**

#### **Chief's Response to POC**

#### **CAO Decision**

#### Officer

107

#### **SOP**

§ 2-55-4F 1&2

#### **Finding**

Sustained

#### **IRO review / Chief's decision**

IRO and Chief agreed.

#### **POC Recommended**

#### **Chief's Response to POC**

#### **CAO Decision**

#### Officer

183

#### **SOP**

§ 2-55-2A 1  
§ 2-55-2D

#### **Finding**

Exonerated  
Exonerated

#### **IRO review / Chief's decision**

IRO and Chief agreed.  
IRO and Chief agreed.

#### **POC Recommended**

#### **Chief's Response to POC**

#### **CAO Decision**

#### Officer

376

#### **SOP**

§ 2-55-2A 1  
§ 2-55-2D

#### **Finding**

Exonerated  
Exonerated

#### **IRO review / Chief's decision**

IRO and Chief agreed.  
IRO and Chief agreed.

#### **POC Recommended**

POC upheld IRO decision.

#### **Chief's Response to POC**

#### **CAO Decision**



**CPC #****Summary of Complaint****CPC 087-2005**

Citizen stated that an officer approached him and told him that the females at the park he was at were afraid because he was always parked there just watching. The officer told the citizen if he saw him there again he would have

Appeal Timeline

<i>Disposition Letter Response</i>	<i>Request for Appeal</i>	<i>Appeal Set</i>	<i>Appeal Reset/Heard</i>	<i>POC Decision</i>	<i>Request for CAO Review</i>	<i>CAO</i>
8/11/2005	10/3/2005	11/10/2005	11/10/2005	11/10/2005	12/9/2005	1/11/2006

**Officer****789*****SOP***

*§ 1-04-1F*  
*§ 2-15-3A*

***Finding***

Exonerated  
Exonerated

***IRO review / Chief's decision***

IRO and Chief agreed.  
IRO and Chief agreed.

***POC Recommended***

POC upheld IRO findings.

***Chief's Response to POC******CAO Decision*****CPC 156-2005**

Citizen stated that he was jumped by seven individuals and when the police arrived they treated him badly, hit him in the chest, threatened him with jail and told him they would send him back to jail in a body bag. He stated that the officers used curse words. Officer also called him a wetback.

Appeal Timeline

<i>Disposition Letter Response</i>	<i>Request for Appeal</i>	<i>Appeal Set</i>	<i>Appeal Reset/Heard</i>	<i>POC Decision</i>	<i>Request for CAO Review</i>	<i>CAO</i>
10/27/2005	12/11/2005	1/12/2006	1/12/2006	1/12/2006		

**Officer****748*****SOP***

*§ 1-04-1F*  
*§ 1-04-4N*  
*§ 1-04-4P*

***Finding***

Not Sustained  
Unfounded  
Unfounded

***IRO review / Chief's decision***

IRO and Chief agreed.  
IRO and Chief agreed.  
IRO and Chief agreed.

***POC Recommended***

POC upheld IRO decision.

***Chief's Response to POC******CAO Decision***

## CPC # Summary of Complaint

**CPC 222-2005** Citizen stated that she wanted a police report for criminal trespassing because the people that rent at her building let repair men work on the air condition and did not notify the tenants.

### Appeal Timeline

<i>Disposition Letter Response</i>	<i>Request for Appeal</i>	<i>Appeal Set</i>	<i>Appeal Reset/Heard</i>	<i>POC Decision</i>	<i>Request for CAO Review</i>	<i>CAO</i>
12/22/2005	1/23/2006	2/9/2006	2/9/2006	2/9/2006		

### Officer

713

#### **SOP**

§ 1-04-1F  
§ 1-04-4O

#### **Finding**

Exonerated  
Exonerated

#### **IRO review / Chief's decision**

IRO and Chief agreed.  
IRO and Chief agreed.

#### **POC Recommended**

#### **Chief's Response to POC**

#### **CAO Decision**

### Officer

830

#### **SOP**

§ 1-04-1F  
§ 1-04-4P

#### **Finding**

Exonerated  
Exonerated

#### **IRO review / Chief's decision**

IRO and Chief agreed.  
IRO and Chief agreed.

#### **POC Recommended**

POC upheld IRO decision.

#### **Chief's Response to POC**

#### **CAO Decision**

**CPC #****Summary of Complaint****CPC 229-2005**

Citizen stated that the officer misused her authority by making him spell his street name. He stated that she called him Mr. And that he is a Dr. and he asked her to address him as such. The officer told him Mr. Was sufficient enough. He stated that he was handcuffed because he refused to spell his street name and he went to the doctor to document the injury from the cuffs.

**Appeal Timeline**

<i>Disposition Letter Response</i>	<i>Request for Appeal</i>	<i>Appeal Set</i>	<i>Appeal Reset/Heard</i>	<i>POC Decision</i>	<i>Request for CAO Review</i>	<i>CAO</i>
11/30/2005	1/21/2006	2/9/2006	2/9/2006	2/9/2006		

**Officer****780*****SOP****§ 1-03-2**§ 1-04-1A**§ 1-04-4C****Finding***

Sustained

Sustained

Sustained

***IRO review / Chief's decision***

IRO and Chief agreed.

IRO and Chief agreed.

IRO and Chief agreed.

***POC Recommended***

POC recommended that §1-04-1F be added and

***Chief's Response to POC***

3/6/06 letter stated that Chief agreed with POC. SOP §1-04-1F was added and Sustained on the officers

***CAO Decision***

## CPC # Summary of Complaint

### CPC 272-2005

Citizen stated that she was told to leave her residence until the next morning because a visitor in the neighborhood accosted by another woman. Later while the citizen and her family were sleeping they heard a loud scream from a woman so they called 911. The officer was the same one that responded earlier in the day and grabbed the citizen and pulled her over the threshold and used excessive force by grabbing her. The citizen had to go to the emergency room and had a CAT scan, and suturing of a three inch laceration. Citizen

had

#### Appeal Timeline

<i>Disposition Letter Response</i>	<i>Request for Appeal</i>	<i>Appeal Set</i>	<i>Appeal Reset/Heard</i>	<i>POC Decision</i>	<i>Request for CAO Review</i>	<i>CAO</i>
2/3/2006	2/13/2006	3/9/2006	3/9/2006	WD		

#### Officer

707

#### **SOP**

§ 1-03-2B  
§ 2-52-02A

#### **Finding**

Unfounded  
Exonerated

#### **IRO review / Chief's decision**

IRO and Chief agreed.  
IRO and Chief agreed.

#### **POC Recommended**

#### **Chief's Response to POC**

#### **CAO Decision**

#### Officer

845

#### **SOP**

§ 1-03-2B

#### **Finding**

Unfounded

#### **IRO review / Chief's decision**

IRO and Chief agreed.

#### **POC Recommended**

#### **Chief's Response to POC**

#### **CAO Decision**

### CPC 321-2005

Citizen stated that officers entered his property without permission.

#### Appeal Timeline

<i>Disposition Letter Response</i>	<i>Request for Appeal</i>	<i>Appeal Set</i>	<i>Appeal Reset/Heard</i>	<i>POC Decision</i>	<i>Request for CAO Review</i>	<i>CAO</i>
2/16/2006	2/28/2006	3/9/2006	3/9/2006	3/9/2006		

#### Officer

235

#### **SOP**

§ 1-04-1F

#### **Finding**

Exonerated

#### **IRO review / Chief's decision**

IRO and Chief agreed.

#### **POC Recommended**

POC upheld IRO decision.

#### **Chief's Response to POC**

#### **CAO Decision**

## **Part IX – POLICE OVERSIGHT COMMISSION:**

### ***Issues of Interest***

### **Policy/Procedural Recommendations and**

### **Updates**

**Ongoing APD Disciplinary Trends  
POC Training  
Public Outreach**

### **First Quarter Report-2006**

*The activities of the Police Oversight Commission are presented by monthly Commission meeting. Public outreach is indicated in the month of the activity. Please note that the appeals heard at the monthly meetings are summarized in Part VIII. The status of the long-term planning process can be traced through the activities of the monthly meetings.*

*Minutes of the monthly meetings are available at the City Clerk's office. Video tape recordings of the monthly POC meetings are available through Media Services of the City.*

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### POC Meeting Dates:

### **January 12, 2006**

#### **A. Issues Discussed:**

- Presented at Public Comments:
  - A citizen discussed her view of the lawful Republic.
  - A citizen complained that we needed to find out who was working against us and the government prosecutes citizens for minor matters and pits neighbors against neighbors.
  - A citizen discussed his public access show and civil rights violations.

#### **B. Policy/Procedural Recommendations**

- One appeal was heard and one was delayed. The POC agreed with the IRO.
- Detective Johnson gave a presentation on the polygraph examinations and their admissibility in New Mexico courts. Polygraphs are voluntary and people cannot be ordered to take them by a judge.
- The recommended terms lengths and number of terms for the POC and IRO was discussed.
- The role of the POC in ensuring the commission has a full complement of commissioners was discussed and it was decided the POC could send letters to

City Councilors and the Mayor to ensure commissioners were appointed and the POC could have one commissioner from each City Council District for the first time.

- The POC voted to attempt to get the 2007 NACOLE Conference to Albuquerque during Balloon Fiesta.
- The City Council hired MGT of America to review the system of civilian oversight of the police and make recommendations for improvement. Commissioners, the IRO staff, advocacy groups, and APD personnel were interviewed among others. The draft report is due in March.
- Chief Schultz appointed the IRO to APD's Biased Based Policing Committee.

C. APD Disciplinary Trends:

- Number of citizen complaints: 28 CPCs received, 8 completed investigations with 8 sustained charges resulting in two verbal reprimands, one ten hour suspension, and one retirement. Fourteen were inactivated.
- Number of Internal complaints: 20 were initiated, 21 completed investigations and two inactivated resulting in 63 Sustained charges with one five hour suspension, one eight hour suspension, one sixteen hour suspension, one twenty hour suspension, one twenty four hour suspension, 7 letters of reprimand, two verbal reprimands, two terminations, and three resigned while under investigation.

D. POC Training: FATS training was scheduled for February 28 at the Police Academy. Polygraph training was provided.

E. Public Outreach:

- The 2004 Annual Report was distributed to Commissioners, Mayor, City Council and City Clerk. It is available on line on the IRO's website for the first time. Also it is available to public through Clerk's office .
- The IRO responded to requests for interviews from the Albuquerque Journal, Albuquerque Tribune and Channel 4.
- Commissioners Jones and Cook met with officials from Kenya at the request of the State Department to discuss police oversight and how our process works.

**February 9, 2006**

A. Issues Discussed:

- Presented at Public Comments:
  - The lawful order of the Republic was not proper.

- Illegal seizure of citizen's property by the County. Peasants should oversee the politicians and common sense was hard to find here.
- Concern by citizen about only having 180 seconds to speak. Read letters regarding kings and the Department of Justice.
- Citizen played an audio tape and discussed his family's issues about CYFD.
- Citizen spoke about his concern over the Nuisance Abatement Team and the city was extorting property through that process.
- IRO Monthly report on cases investigated and reviewed. Reviewed the timeliness of closed cases and pending cases for both IA and the IRO investigators.
- Four appeals were heard.
  - CPC 202-05 was approved and the requested delay beyond the 60-day delay already approved was denied. The citizen had not participated in the investigation and wanted to delay the appeal until his criminal case was completed.
  - CPC 062-05 and 222-05 were upheld and the findings of the IRO were approved.
  - CPC 229-05 was reviewed. The IRO and Chief erred by not resolving whether the officer should have been Sustained for four or three violations of the Standard Operating Procedures. The citizen wanted the fourth finding Sustained in the officers record. The POC agreed with the citizen and recommended to the Chief that he add the fourth SOP violation to the officer's record.

#### B. Policy/Procedural Recommendations:

- The Assistant City Attorney provided his legal opinion that the POC Ordinance no longer had term limits contained in it, since they were deleted in June 2004. He explained that there was a general ordinance that covered all boards and commissions which stated that the terms were set for three years. Those commissioners who were appointed before the ordinance was changed were only allowed to serve the two terms as provided for at the time.
- The City Council passed the POC Rules and Regulations and they are now effective for the Commission.
- Capt. Paiz is changing the police presence in the Downtown area to a less visible uniformed presence. The early reaction is very favorable and fewer arrests and complaints have been received.
- The pilot mediation program is going very well. The IRO meets with the mediators regularly. Several police officers have apologized to the citizens and the citizens have been satisfied and dropped the complaint. These complaints are inactivated. There has been a large increase in the number of inactivated complaints and this is one reason for it.

#### C. APD Disciplinary Trends:

- Number of citizen complaints: 15 CPCs received and 14 were completed with 6 inactivated. Five charges were Sustained resulting in five verbal reprimands.
- Number of Internal complaints: 35 received, 20 completed with one inactivated. 37 charges were Sustained resulting in three 10-hour suspensions, one twenty hour suspension, one forty hour suspension, 9 letters of reprimand, and three verbal reprimands.
- There were five early warning hits.

D. POC Training: FATS training was not conducted because the guns were broken and sent for repair.

E. Public Outreach:

- IRO was interviewed by the Albuquerque Journal.
- The IRO attended two City Council meetings to assist the process of approving the annual report and the POC Rules and Regulations.
- The IRO met with the two new area commanders to discuss the process and areas of interest.
- Channel 2 did a story on the increase of police complaints in 2005.

## **March 9, 2006**

A. Issues Discussed:

- Presented at Public Comments:
  - Citizen's view of the lawful Republic was discussed.
- Two appeals were heard. One was delayed until April 13. One was withdrawn and the POC voted to approve the findings of the IRO on CPC 321-05.
- The Chief agreed with the POC recommendation to add the fourth SOP and Sustain it in the officer's record on CPC 229-05.

B. Policy/ Procedural Recommendations:

- Rev James Jones was elected Chair and Michael Cook was elected Vice Chair. Commissioner Ira Rimson was selected to serve on the Long Term Planning Commission as the replacement for Commissioner Sanchez Davis.
- The IRO presented three police shooting cases and the POC approved the findings of Exonerated on the shootings while Sustaining procedural violations.
- The need for officer safety and calling in their stops was emphasized and the new changes to the SOPs that now required this were discussed.
- The number of complaints has decreased by 17% over the last four months. The POC approved the IRO request to change the needed additional investigators from two to one.



- Chief Schultz explained the improvements in the Evidence Room procedures. They currently have bar coded over 300,000 pieces of evidence. They have destroyed thousands of guns and bought an incinerator to destroy drugs.
- The IRO submitted the bid for the 2007 NACOLE Conference with the professional assistance of the Albuquerque Convention and Visitor Bureau.
- The consultant's report has not been received.
- The LTPC recommended the POC consider amendments to the POC Ordinance that would allow POC commissioners to serve up to three year terms and as many terms as the Mayor and City Council may approve.

C. APD Disciplinary Trends:

- The disciplinary trends were briefed. 23 CPC had been received and 23 completed. 15 were inactivated. Four charges were Sustained resulting in three letters of reprimand, one counseling.
- There were 28 Internal complaints initiated and 31 were completed. There were 63 Sustained charges resulting in one ten hour suspension, one twenty hour suspension, one termination, one resignation, 21 letters of reprimand, one verbal reprimand and one loss of take home vehicle for 60 days.

D. POC Training:

- FATS training was rescheduled for April and June at the Police Academy.

E. Public Outreach:

- IRO was interviewed by the Tribune who did a story on the decrease in complaints.
- Two POC commissioners were approved by the City Council.